

The American Catholic Sociological Review

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Social Implications of the Cooperative Movement

E. R. BOWEN

In this article we shall discuss the development of spiritual personality and brotherhood, of democratic liberty and equality, through, first the voluntary action of the people in organizing themselves into cooperative economic groups, and, second, the reaction of such cooperative groups upon the members, which is a most fitting subject for consideration by sociologists.

It is said that George Bancroft endeavored to trace "God's hand in history" as the high point around which he wrote his histories of the United States. He concluded that the steps upward toward which God had pointed and which man had thus far taken were religious freedom, educational freedom and political freedom. Today "God's hand in history" is again pointing men to another great step upward — to economic freedom.

It might be said that God first erects as scaffolding the principles of the great steps upward for men to take. Men then must develop moral codes, which interpret these principles, as permanent foundations. Finally, we build social institutions on these moral foundations. This was the process of the past in building our institutions of religious, educational and political freedom.

However, today, while God is clearly pointing the way upward toward economic freedom as the next great step for men to take, we have not generally adopted the necessary moral codes on which to build the institutions of economic freedom. We do not generally, as yet, accept the principles of liberty and equality as applied to our economic affairs. We are not willing to be free and equal economically. Accordingly, we have erected institutions of economic freedom on these moral principles to only a limited degree.

We are today floundering at the crossroads between four alternatives: continuing under capitalism; going to the left towards communism; to the right towards fascism; or straight ahead to cooperation. My appeal is that we march on to cooperation.

We are at another economic turning point of the ages. For centuries mankind has struggled upwards and onwards from barbarism to slavery, from slavery to serfdom, from serfdom to capitalism.

The general pattern has always been the same; under slavery the many slaves, the few masters; under serfdom the many serfs, the few lords; under capitalism the many poor, the few rich. All three have been based on profits. Today society is in the process of rejecting capitalism, as our forefathers before rejected serfdom and slavery. George W. Russell says, "our present system is anarchic and inhuman, and the world is hurrying away from it with disgust." It has been tried and found wanting. It neither provides men with incomes, with employment, nor with ownership, which are the three inalienable economic rights of every man. Ahead of us are three coordinated forms of non-profit economic organizations with which men are experimenting — communism, fascism, and cooperation. Take your choice for the future as between the Russian, German or Scandinavian form of coordination. Study well the law of the harvest. By their fruits ye shall know them.

Let us consider briefly the fruits of the four alternative economic systems which are today struggling for mastery — capitalism, communism, fascism and cooperation.

The Encyclical *On the Condition of Labor*, nearly a half-century ago both factually and prophetically declared, "A small number of very rich men have been able to lay upon the masses of the poor a yoke little better than slavery itself." These additional words from the Encyclical *Forty Years After* describe the result, "dead matter leaves the factory ennobled and transformed, where men are corrupted and degraded." I do not write as a theorist — I was engaged in manufacturing for a quarter of a century, and I know how difficult and impossible it is for the present economic system to operate both ethically and economically.

I quote further from *Forty Years After*, "The immense number of propertyless wage-earners on the one hand, and the superabundant riches of the fortunate few on the other hand, is an unanswerable argument that the earthly goods so abundantly produced in this age of industrialism are far from rightly distributed and equitably shared among the various classes of men." Further, "it is patent that in our days not alone is wealth accumulated, but immense power and despotic economic domination is concentrated in the hands of a few, and that those few are frequently not the owners, but only the trustees and directors of invested funds, who administer them at their good pleasure." Again, "free competition is dead; economic dictatorship has taken its place. Unbridled ambition for domination has

succeeded the desire for gain; the whole economic life has become hard, cruel and relentless in a ghastly measure." "We are sitting at the bedside of a dying order," says Rev. Wilfrid Parsons, S.J., in his recent book. I cannot interpret his words, as they apply to present conditions, without reaching the conclusion that it would be entirely correct to add, "We are sitting at the bedside of a dying order — capitalism."

I need not offer any extensive statistical proof of the truth of these prophetic declarations. Look around you. Milo Perkins gives us the latest figures — that 80% of American families average \$69 income per family per month, when in 1929 we produced an average of \$250 per family per month, or nearly four times as much, and had a productive capacity to have produced \$375, or nearly six times as much. No wonder a school boy in Chicago, whose teacher asked him if he was unwell answered, "This isn't my day to eat."

Unemployment has become a permanent economic disease, with technology preventing full employment under a profit system of scarcity. A cartoon shows a little girl comforting her father with these words, "We'll get a job again, won't we, Daddy?" George Russell in *Cooperation and Nationality* describes our conditions in these words, "There is always room on top for more wealth and room at the bottom for more poverty. Bed rock has never been found, but the organized interests are always making the unorganized conduct extensive investigations in that direction. The sweated pursue these investigations towards bed rock in the cities, the small farmer in the country." Charles Dunoyer once said, "It is well that there should be the lower depths of society into which families who behave ill may fall; poverty is that fearsome hell."

The economic basis of poverty and unemployment is found in tenancy. We, the people of America, are largely no longer the owners of the land we live in. Daniel Webster said at the 200th anniversary of the landing of the Pilgrims that then "there were no lands yielding rent and no tenants rendering service." Later, Andrew Jackson boasted in a Thanksgiving Proclamation that America would forever be able to give any man a quarter section of land. He should have studied the prophecy of James Madison, who stated his belief in the Constitutional Convention that, "in times to come the majority of the people will not only be without landed property, but any other kind of property." Dr. Goetz Briefs rightly says that "capitalism presupposes the worker's continuance in a

propertyless state." Drs. Coady, Dewey and Kallen have all used similar descriptions of our present condition. They paint the picture of a man working as a "hand," as an animate tool, without the complete functioning of his head and heart, in an ugly factory owned by absentee shareholders, then traveling past depressing stores owned by middlemen and not by himself, to a sordid house which not he but a landlord owns. Such a man, as the National Educational Association Report on Cooperatives suggests, is "something less than a man — more of a robot."

The natural fruits of the seeds of profits have ripened in poverty, unemployment and tenancy. I can trace them all in the short history of the families of two brothers — my father and my uncle — who came west from New York State to Iowa, urged on by Horace Greeley's advice of "Go West." But there is now no physical West for their descendants. A recent picture taken by the Farm Security Administration shows four ragged children of a tenant farmer, standing up eating Christmas dinner of boiled potatoes and cabbage, in Iowa which has been called "the greatest agricultural state in the union."

Survivors of capitalism boast of our great wealth, which, however, result more from natural resources than from economic efficiency. America's poverty, unemployment and tenancy are all the more tragic since we inherited such vast natural resources in this country.

Poverty, unemployment and tenancy are more than statistics, they are revealed in both the individual lives and the social institutions of the people. Where they prevail, the religious, educational and political organizations also suffer and decline.

Communism and fascism might together be described as statism. The social results of statism are increasingly clear. Statism is fundamentally in error because it depends upon force rather than persuasion. The means of force can never achieve the ends of peace. Loss of liberty and loss of ownership stifle initiative and limit progress. While unemployment is eliminated, full production cannot be achieved by compulsion and the result is permanent poverty. Individual personality is restricted by lack of self-direction, while free social institutions of religion, education and government are destroyed and cannot react to further individual development.

It is a serious question if America is not also blindly taking the first steps toward statism. The breakdown of capitalism and our failure to have developed a consumer-producer, self-contained and

self-regulating cooperative economic system has forced us to endeavor to relieve our distress through the political State. Dr. M. M. Coady, in *Masters of Their Own Destiny*, graphically describes our efforts as attempts to hold erect a leaning tower with an increasing number of guy wires, when the error must be corrected at the base, by the elimination of the false foundation of profits. We are endeavoring to develop an efficient political method of distributing the fruits of non-production. Philip Cabot of the Harvard School of Business Administrations says that business can neither control government nor government control business in a free society. It is against the nature of things for a political government to permanently attempt to provide employment — full employment must be provided by the economic system itself. It is against the principle of subsidiarity to centralize power. Each local economic unit should direct its own functions and leave to the next higher economic unit only that part which it cannot itself perform successfully. External centralized political control cannot be substituted for internal decentralized economic control in a free society. As a temporary means we must, because of default in not having built a free economic system, use the political state to relieve distress. However, we only compound our economic ills and delay their final solution when we borrow the excess savings of the few and pay interest on them instead of taxing such savings away through excess income, inheritance and profits taxes. The government should tax and spend — tax the excess savings of the few and distribute them in an orderly way to the many through various forms of social insurances. Yet, we must not delay but greatly hasten our efforts to build a democratic economic system, lest our use of the political government for unnatural economic functions also leads America into dictatorial statism. The state should not do for us what we should and could do for ourselves.

The basic necessity in an economic system is to integrate economic self-interest and social-responsibility. Capitalism assumes that social benefit will automatically follow the pursuance of individual self-interest and *denies* social-responsibility. Statism *divorces* social-responsibility from self-interest and transfers it from the economic system to the political state. Cooperation *integrates* social-responsibility and self-interest in the economic system.

George Russell says that society has swung like a pendulum between the extremes of liberty and solidarity, but foretells of a *plethora*, or fullness, where the two will be fused. This is cooperation

— it unites liberty and solidarity. The Swedish magazine, *Kooperatoren*, says that cooperation constitutes a synthesis of liberalism and statism, uniting what is best in each. Henry A. Wallace declares that "the philosophy of the future will endeavor to reconcile the good which is in the competitive, individualistic and libertarian concepts of the nineteenth century with the cooperative concepts which seem to me destined to dominate the late twentieth century." Alex McIntyre of Nova Scotia says, "By cooperation, both the aggressive individual and the aggressive state are kept in their proper places." Cooperation is midway between anarchistic individualism and authoritarian collectivism. The Swedes express it simply — that cooperatives make both private business and the public state behave.

Self-interest and social-responsibility are closely united in the family economy. The vital essence of cooperation is that it extends the principles and practices of the family economy into the social economy. In a family economy, service is the motive — not profits — just so it is in a cooperative economy.

Since cooperatives are democratic institutions, they naturally also promote other democratic institutions. In a cooperative community churches, schools and politics also flourish.

In a pamphlet entitled *The Discovery of the Consumer*, written by Beatrice Webb, after 40 years of study, she states, "I believe the distinctions between associations of producers on the one hand, and associations of consumers on the other hand, to be no idle fancy, but perhaps the most pregnant and important piece of classification in the whole range of sociology." It was indeed a great day in the history of the human race when the idea dawned upon the Rochdale Pioneers in England that they could organize effectively as consumers as well as producers. Fifty years before, a Dr. King had urged a group of poor people to organize their purchasing power. The great economic fallacy, says Dr. Henry Pratt Fairchild, has been that we have thought of ourselves for centuries first as producers and second as consumers. Dr. Horace Kallen rightly says in *The Decline and Rise of the Consumer* that, "we are born consumers and become producers," that "we are consumers by nature and producers by necessity."

Sidney A. Reeve declares in *Modern Economic Tendencies* that, "In economics the ultimate consumer occupies the same position of natural sovereignty and inborn authority that the voter occupies in the political field." Again, "it cannot be repeated or emphasized

too often — it is not whence a man draws his pay which measures his welfare, but where he spends his money." This problem of the fundamental precedence of our consumer over our producer functions should be more fully analyzed and taught by sociologists.

In America the farmers have been making increasingly rapid progress in consumers' cooperative organization during the past twenty years. They now purchase one-sixth of their farm supplies cooperatively, or nearly \$500,000,000 worth. The principal commodities purchased are feed and fertilizer in the East, and petroleum products in the Central West. Starting with retail cooperatives, they have progressed to wholesaling and more recently into manufacturing. We are beginning now to duplicate on a small scale in America the stories of busting the trusts for which the cooperatives in Sweden are famous. For example, in Ohio and Indiana last spring the price of fertilizer was lowered for all farmers by \$1,200,000 as a result of an investment of \$250,000 in fertilizer factories. The story of the attempts of private oil monopolies to sabotage the erection and operation of the first complete cooperative factory erected in Kansas rivals those of the opposition to cooperative progress in other countries. These are examples in the rural field of great social movements which are taking place in the field of consumers' cooperation.

As the 1920 depression stimulated the farmers into cooperative organization as consumers, just so the 1930 depression stimulated cooperative action among urban residents. The principal urban development has been in grocery stores and gasoline stations. University groups, office groups, industrial groups, Negro groups and others have been stimulated into action as consumers to improve quality, to reduce prices and to recover ownership of industry.

Cooperatives make men as well as build business. Dr. J. J. Tompkins, famous adult education and cooperative organization leader of Nova Scotia, says in a personal letter, "The store is going fine and the character building is immense." Just how do cooperatives build character?

Let me suggest at least six character building results of cooperatives:

First, *people develop personality when they voluntarily decide to join cooperatives.* Cooperatives develop character because they require people to make decisions. In turn, as Albin Johansson of Sweden says, "Cooperatives coax out the good in people." They are based on internal discipline rather than external dictatorship.

People must develop discipline in one way or another — either they will discipline themselves voluntarily or they will be disciplined by external compulsion. George Russell says in *Cooperation and Nationality* that, "When a man becomes imbecile his friends place him in an asylum. When a people grow decadent and imbecile they place themselves in the hands of the state." Self-help efforts develop personality while state-aid leads to dependence.

Second, *cooperatives are economic organizations of brotherhood*. Kagawa of Japan describes them as "the love principle in industry." They embody brotherhood by open-membership and one-person-one-vote.

Third, *cooperatives put in practice the principle of the "Just Price,"* which means a price from which all elements of profit are eliminated. This is accomplished by the device of limited interest and patronage returns on purchases, which lowers the price to cost.

Fourth, Thomas Aquinas says that ownership is natural to all men. "The ground itself is the true sociological basis," says Frank Lloyd Wright, "We need a new freedom where a man has a sense of his own ground." *Cooperatives eliminate tenancy and recover ownership*. They result in the ownership of homes and shares in business and banking enterprises by all the people, as demonstrated in Scandinavia.

Fifth, *cooperatives employ persuasion rather than force to accomplish their objectives*. They are ethical and educational, as well as economic organizations. Particularly do they promote study-circles as the basic method of adult education.

Sixth, Dr. Goetz Briefs says that "Every evaluation of cooperatives which views them only as economic institutions falls short of a real understanding of their significance." Dr. J. J. Tompkins speaks of cooperatives as "spiritualizing economics." Dr. Horace Kallen says that "the consumer ideal can consecrate and transform the most prosaic and material item of economic behavior into a spiritual event." Johannes Huber, President of the Swiss Cooperative Union, declares that "The Swiss Cooperative Union is not only a wholesale purchasing organization, but also distributes spiritual values to the affiliated cooperatives and to cooperators as a whole." *Cooperatives are both spiritual and material distributing organizations*. A cooperative factory and store are more than another factory and store — just as a home is more than a house — the spirit of brotherhood is within the material structure.

Charles Gide of France likened the discovery of cooperation to the importance of the discovery of the circulation of the blood in the body. And may it not be so, that cooperatives will be the economic means of distributing plenty to all the body of society, as the blood is the means of distributing food to all the cells of the individual body?

Beatrice Webb of England prophesies that, "A century hence, I am inclined to predict, school text-books and learned treatises will give more space to consumers' cooperation, its constitution and ramifications, than to the rise and fall of political parties or the personalities of successive prime ministers. For, unless I am completely misinterpreting the irresistible ground-swell of British democracy, it is this consumers' cooperation, in its twofold form of voluntary association of members (in what we now know as the cooperative society) and obligatory association of citizens (in the economic enterprises of national as well as local government) — all of them in organic connection with an equally ubiquitous organization of the producers by hand or by brain (in trade unions and professional associations) which will constitute the greater part of the social order of a hundred years hence."

The sociological process which is necessary in every neighborhood is described by George Russell in these words: "A scientific friend tells me that crystallization only takes place when a pure atom of the crystal to be formed falls into the bath. All the atoms of that element in solution then begin to gather about it. I am not a scientist and cannot guarantee the truth of this, but it provides me with an excellent illustration, and I feel sure it is accurate because it is true that to create a human crystal or cooperative organization, a man with the true spirit of mutuality must first fall into the society to be organized."

Cooperatives are an important form of social organization which have ethical, educational and economic implications and hence should be far more greatly emphasized by sociologists and other educators in their speaking, writing and teaching.

Cooperative League of America

Personalistic Social Action in the "Rerum Novarum" and "Quadragesimo Anno"*

PAUL HANLY FURFEY

The present time of social uncertainty seems particularly appropriate for a review of the doctrine of the great social encyclicals. As the attentive reader is aware, the solution proposed in them for our social ills is twofold. "If human society is to be cured," wrote Pope Leo, "only a return to Christian life and institutions can cure it" (RN, 22).¹ These words were quoted by Pope Pius in his own encyclical (QA, 129). The same thought is expressed in different words by the latter Pontiff, "Two things are most necessary, the reform of institutions and the correction of morals" (QA, 77).

Social and economic problems spring from a twofold evil: In the first place, our institutions are corrupt. Our economic system is not a good economic system. The State is not well fulfilling the proper functions of a State. But there is another evil more fundamental than this. After all, institutions are the product of men. If individuals are immoral, their institutions will be immoral also. Good men are the basis of good institutions. It is vain to hope for the reform of the social order unless "the correction of morals precedes.

For "the reform of institutions" organized action is necessary. The individual by himself can scarcely have much effect in this field. So the encyclicals approve such organized methods as social legislation, occupational groups, and trade unions. But organized action by itself is insufficient. In the first place, it is quite evident that no organization will function unless the members are interested and active. No organization can be a power for good unless its members, or an effective majority of them, are animated by sound principles.

* Modified from an address delivered before the Sociology Club of Marquette University May 15, 1941, on the occasion of the fiftieth anniversary of the *Rerum novarum* and the tenth anniversary of the *Quadragesimo anno*.

¹ RN=*Rerum novarum*; QA=*Quadragesimo anno*. Throughout this article all quotations from these two encyclicals have been translated by the present writer from the original Latin text with the aid, of course, of existing translations.

For this reason the "correction of morals" is more basic than "the reform of institutions." Again, there are certain social problems which by their very nature must be attacked largely on an individual basis. The drink problem is a good example. The failure of national prohibition in the United States proved once and for all that this issue cannot be settled with a shotgun. No wonder that Pope Pius stated that "the first and most necessary remedy is a reform of morals" (QA, 98)!

This moral reform, therefore, must be regarded as a true technique of social action. Unfortunately, commentators on the encyclicals have given it far less attention than it deserves. Too frequently writers have confined themselves to the discussion of organized action in interpreting the *Rerum novarum* and the *Quadragesimo anno*. Thus they have told only half the truth. The object of the present paper is to attempt to restore the balance by calling attention to the great emphasis which these encyclicals place on "the correction of morals."

Moral reform, it must be repeated, is a true technique of social action. To distinguish it from organized social action it has been well called "personalistic social action." This term may be defined as the social effect of the individual life lived in accordance with the Christian social virtues.

Some have asked which of these two forms of action is the more important. To ask such a question is to betray a lack of understanding of the papal thought. Organized action and personalistic action are not two alternative programs. They are two parts of one program. In the encyclicals the two forms of action are woven together into a single fabric. It is true, however, that personalistic action can function without organized action, while the reverse is not the case. The totalitarian countries of Europe have destroyed Catholic organizations; but they cannot destroy Catholic life. In this sense, then, personalistic action is "the first and most necessary remedy" (QA, 98).

Before turning to the encyclicals for their teaching on personalistic action it may be well to illustrate the term by a few practical examples. Consider, for instance, the problem of race relations. Every sociologist knows that the Negro in the United States is not given his rights. What are we to do about the situation? We can do something through such groups as the National Association for the Advancement of Colored People. These groups can bring

pressure to bear on legislative bodies and possibly force the passage of legislation bringing justice to the Negro. They can arouse public sentiment. They can give legal aid to Negroes in the courts. But there are many things we can do even without organization. We can treat with justice and charity the Negroes whom we know personally, remembering that "we are members of one another" (Eph. 4:25).² We can patronize Negro businesses and hire Negroes on the same basis as whites. We can refuse to use racial epithets and to repeat unkind racial jokes and show our displeasure with others who do so. By doing these things we abolish interracial injustice in the tiny part of society which we personally control. By doing so we gradually influence others. We act as a leaven. Thus personalistic social action becomes effective.

Take another example. Pope Pius said: "The very fact of the immense size of the proletariat on the one hand and the enormous wealth of some very rich men on the other, is an unanswerable argument that the riches so abundantly produced in this, our age of 'industrialism' have not been rightly distributed nor equitably shared among the various classes of men" (QA, 60). What can we, as individuals, do about this? Certainly we cannot personally reform the economic system; but a tiny part of that system is under the personal control of each of us. We can decide how our own income shall be spent. In spending it we can observe justice and charity. We can limit our expenditures to what we really need in order to follow out our vocation. We can give the balance to others less fortunate than ourselves. Even the poorest of us can give something to charity. Even if our contribution must be very small, it is nevertheless enormously important, like the widow's "quadrans" (Mark 12:42), because it establishes a principle and sets an example for others. Such is personalistic social action in the economic sphere!

Personalistic social action is important because a neglect of it is one cause of the present distress. The very first paragraph of the *Rerum novarum* mentions a "deterioration of morals" (RN, 1) as one cause of class warfare. The *Quadragesimo anno* is even more explicit: "The root and source of this departure from the Christian law in the social and economic sphere and of the consequent apostasy of many workers from the Christian Faith, are the inordinate affections of the soul, the sad result of original sin, which have so

²Quotations from the New Testament herein follow the new version of the Catholic Biblical Association.

destroyed the harmony of man's faculties that he is easily led astray by evil desires and strongly tempted to prefer the transient goods of this world to the lasting goods of heaven. Hence that unquenchable thirst for riches and worldly goods which has ever impelled men to break God's laws and trample on their neighbors' rights but which under the present economic system lays far more snares for human frailty" (QA, 132).

Since sin is such a basic cause of social problems the Church is very immediately concerned. Pope Leo developed this doctrine, "It is the Church which draws from the Gospel those teachings by virtue of which the struggle can be entirely settled or at least be deprived of its acrimony and tempered" (RN, 13). Further on in his encyclical Pope Leo explains how this is the case, "The whole discipline of religion, whose interpreter and guardian is the Church, can greatly conciliate and unite the rich and the proletariat. It does this by recalling both classes to their mutual duties and especially to the duty of justice" (RN, 16). But the Church does more than this. To quote the encyclical once again, "The Church is not satisfied with writing the prescription; she administers the medicine with her own hand. For she does her utmost to train and teach men according to her discipline and doctrine. Through the work of her bishops and clergy she causes the salutary streams of her doctrine to be diffused as widely as possible. Then she strives to enter into men's hearts and bend their wills that they may willingly yield themselves up to the discipline of the divine precepts. The Church has a unique power in this field which is primary and of great moment, because herein lies the sum and source of all benefits. For the means which she uses to move hearts were given her for this very purpose by Jesus Christ and derive their efficacy from God. Only these means can penetrate to the innermost recesses of the heart and lead man to do his duty, to control his passions, to love God and neighbor with a unique and sovereign charity, and courageously to break through every barrier which stands in the way of virtue" (RN, 22).

Such being the case, it is easy to see why personalistic social action is "the first and most necessary remedy" (QA, 98). Pope Pius speaks of "the holy road to constructive reform, namely, the Christian reform of morals" (QA, 15). Again, he says, "Our teaching on the reform and further improvement of the social order can certainly not be put into effect without the reformation of morals, as history clearly proves" (QA, 97). Why is this the case? Pope

Leo has the answer. "Since social good must be of such a nature that its acquisition makes men better, this social good must be founded chiefly on virtue" (RN, 27).

Since growth in virtue is the concern of every man, no one is excused from this type of social action. Pope Leo is very explicit in listing the respective parts which rich and poor must play: "Among these duties the following apply to the proletariat and the working class: to complete entirely and honorably whatever work has been freely and equitably agreed upon, not to injure the property or person of employers in any way, to abstain from violence and all rioting even in defending their own interests, not to associate with vicious men who artfully arouse exaggerated expectations and promise great things, all of which usually end up in vain regrets and disaster. The following duties, on the other hand, apply to the rich and to employers: not to treat workers like slaves, to remember that justice demands they respect the worker's personal dignity ennobled as it is through what is called the Christian character [to remember] that in the light of right reason and Christian philosophy gainful occupations are not a matter for shame but for pride; for they give an honorable means of supporting life" (RN, 16).

Even from the standpoint of natural prudence such a program is bound to improve the economic system. To quote the *Rerum novarum*, "Christian morality, when fully observed, automatically makes its contribution to material prosperity; for it wins the favor of God, the Maker and Source of all good things. It restrains those twin plagues of life, which often make a man miserable even in the midst of wealth, namely, avarice and thirst for pleasure. It teaches men to supplement income by thrift, being content with a moderate scale of living, far removed from the vices which eat up not merely small incomes but large fortunes and ruin many a goodly inheritance" (RN, 23). The same encyclical points out how virtue conciliates the powerful: "No matter how great the force of human prejudice and cupidity, still, unless a man has deliberately deadened his own conscience, he is more likely to show good will towards those whom he knows as industrious, temperate, and obviously accustomed to put justice before profit and the obligations of duty before everything" (RN, 44).

If all the Christian virtues are important to personalistic social action, the encyclicals nevertheless make it clear that the two most important virtues in this connection are justice and charity. These

two virtues are prescribed by the *Quadragesimo anno* as a cure for the existing economic dictatorship. "Popular institutions and particularly the institutions of social life ought to be imbued with this justice which must be made truly effective, that is, it must establish a juridical and social order capable of giving shape to the whole economic life. But social charity ought to be as the very soul of this order, an order which the government ought to be ever ready to protect and defend" (QA, 88). The relations of capital and labor, says the same encyclical in another place, "should be forced to conform most exactly to the laws of commutative justice, as it is called, with the support of Christian charity" (QA, 110). Finally, some Catholic industrialists are blamed for forgetting the "sublime law" of justice and charity which ought to govern their labor relations (QA, 125).

Charity and justice, then, are both necessary; but the greater of these is charity. Pope Leo stated: "If [capital and labor] are obedient to Christian precepts, they will not be satisfied with friendship; brotherly love will unite them. For they will feel and understand that absolutely all men have been created by God, their common Father, that all tend to the same supreme good, which is God Himself . . . that each and all have been equally redeemed by the grace of Jesus Christ and restored to their dignity as children of God" (QA, 21). "How mistaken," comments Pope Pius, "are those rash reformers who disdain the help of charity and concern themselves with justice only, and commutative justice at that!" (QA, 137) Pope Leo closed his great encyclical with a stirring appeal for charity. "The longed-for well-being is to be expected chiefly from a great outpouring of charity, Christian charity, that is, which is the epitome of the whole Gospel law and which, ever ready for self-sacrifice for others' sake, is the surest antidote for worldly insolence and immoderate love of self" (RN, 45). Pope Pius reiterates this belief. "From this new outpouring throughout the world of Gospel spirit (which is the spirit of Christian moderation and universal charity), We confidently expect that most desirable and full restoration of society in Christ and that 'peace of Christ in the Kingdom of Christ' to which from the very beginning of Our pontificate We resolved and firmly determined to devote all Our care and all Our pastoral solicitude" (QA, 138).

One direct result of such widespread charity will be almsgiving. "Whoever has received from God's bounty a greater share of bless-

ings, be they external and material goods or mental endowments, has received them for his own perfection, but also that, as an agent of Divine Providence, he might benefit others" (RN, 19). And again, "When the demands of necessity and propriety have been satisfied, it is a duty to give to the poor out of the balance. . . . Except in cases of extreme need this is a duty not of justice, but of charity" (RN, 19).

Pope Leo points to the example of the early Church to show what charity can do. "Among the first Christians fraternal charity was so strong that the more wealthy often gave up their possessions to relieve others, wherefore 'nor was there anyone among them in want.' The Apostles committed to the deacons (instituted for that very purpose) the duty of making daily distributions; and the Apostle Paul, though burdened with the care of all the churches, did not hesitate to undertake difficult journeys to bring alms personally to the poorer Christians" (RN, 24). "At the sight of such life and such conduct," the Pope adds in another place, "prejudice vanished, the tongue of slander became silent, and the fables of ancient superstition gradually yielded to Christian truth" (RN, 43).

It is clear from the foregoing that the encyclicals contain the outlines of a complete program of personalistic social action. How can such a program be put into effect? We are given more than a few indications how this question is to be answered. A first essential is to study the doctrine of the Gospels; for no program can be realized unless it is first understood. "No real cure can be effected," says Pope Pius, "without a frank and sincere return to the Gospel teachings, that is, to the precepts of Him, Who alone has the words of everlasting life, words which, if heaven and earth pass away, will never pass away" (QA, 136). Another means is the protection of workers' morals, a duty of employers (RN, 29) and of the State (RN, 30). Retreats for all the laity are commended and especially for workers (QA, 143). Finally, the workmen's associations, which play such a leading role in the thought of the *Rerum novarum*, have a responsibility in this field as well. We Americans are so used to thinking of labor organizations only in connection with collective bargaining and the promotion of social legislation, that some may be a bit surprised that they are important means of promoting virtue in the thought of the encyclicals. We should not be surprised. Anyone who has had even the most superficial contact with Catholic labor organizations in Europe will realize how large spiritual values

loom among the objectives of such groups. We need not wonder, then, when Pope Leo says, "It is clear that the perfecting of religion and morals should be regarded as their principal concern and their internal discipline is to be directed completely to this end. For otherwise they would lose their special character and become little better than those other associations which take no account of religion at all. Besides, would it profit the worker to seek through organization for material profit if his soul be exposed to danger for lack of spiritual food? . . . Therefore let them take their principles from God and place great emphasis on religious instruction that each and all may know their duties towards God" (RN, 42). These principles are quoted in part and reiterated in the *Quadragesimo anno* (QA, 32).

The principles of personalistic social action have been stated at greater length and perhaps even more forcefully in other encyclicals than in the two under consideration. It would be possible to develop the subject at greater length from these other papal pronouncements. Such a development, however, lies outside the scope of the present paper. The object herein has been to show that although the *Rerum novarum* and the *Quadragesimo anno* emphasize organized action more, perhaps, than parallel documents, they nevertheless never neglect the personalistic aspect and that we, if we are to be faithful to their doctrine, must follow suit and give personalistic action a large place in our philosophy of reform. I cannot refrain, however, from merely mentioning the fact that the *Divini Redemptoris* contains an unusually full account of action of this sort.³ Paragraphs forty-one to fifty-four call for a renewal of the Christian life and emphasize charity, justice, and detachment from worldly goods.

It is perfectly clear, therefore, what the Popes have demanded of us. We are to practice the Christian social virtues and are to practice them as a technique of social action, as a means of solving the pressing social problems which harass us. The principles are perfectly lucid; but what do these principles mean in actual practice? Specifically, what can individual Catholic lay men and lay women do in America in 1940 to put these principles into operation in their own lives? This question may be answered under five heads.

(1) *Voluntary Poverty*. If we are to wage successful war against the world with its hatreds and injustices, we must first be

³ Pope Pius XI: Encyclical, *Divini Redemptoris* (Atheistic Communism), March 19, 1937.

unworldly. No soldier is a good soldier unless he is heart and soul against the enemy. The man who gives aid and comfort to the enemy is a traitor. We must give no aid and comfort to the world whose worldly vices have created the social problem. Now, one way of separating oneself from the world is to practice voluntary poverty. This virtue has always been held in honor by the Church, exemplified beautifully in her saints, and prescribed under vow in all her religious communities. "This lesson is more than ever necessary in these days of materialism athirst for the goods and pleasures of this earth (DR, 44).

By voluntary poverty we do not mean destitution. It is neither feasible nor even desirable that the average Catholic should push this holy virtue to the extremes of St. Francis of Assisi or St. Benedict Joseph Labre. But by voluntary poverty we may understand the practice of neither acquiring, hoarding, nor spending money in any selfish or unreasonable way. Voluntary poverty in this sense, or detachment from worldly goods if you prefer, cannot be measured in dollars and cents. A man may have a large income of which he spends on himself only what he really needs to, while he gives the balance generously to worthy causes. Such a man is practicing voluntary poverty. On the other hand, a literally poor man with avarice in his heart may be rich in spirit and very worldly by desire.

Voluntary poverty in this sense, besides being explicitly recommended in the *Divini Redemptoris*, is urged by implication in the *Rerum novarum* when avarice is denounced as one of the "twin plagues of life" and Christian morality is praised which "teaches men to supplement income by thrift, being content with a moderate scale of living" (RN, 23).

Voluntary poverty must begin with that poverty of spirit for which the beatitude promised a heavenly reward. This ought not to be a difficult virtue; but actually it is extraordinarily difficult under modern American conditions. It is opposed to the commonly accepted ideal of our fellow citizens. For the standard criterion of success is money. The successful man is the man with a "good" income, and a "good" income means a large one. This ideal is preached more effectively in current movies, books, and periodicals than the contrary ideal of unworldliness is preached from the altar. It takes courage and great intellectual independence to worship God rather than Mammon.

Poverty of spirit, however, is not enough. For if we really love his holy ideal, then our love should show some effect on our lives

We should be willing to dress becomingly indeed, but economically; for remember clothing can be immoral through extravagance as well as through immodesty. We should be content with a modest scale of living. We should be satisfied with inexpensive recreation. Above all, we should avoid the temptation to be extravagant to show off our prosperity before others. Moderation in spending plus generosity to the poor are the most eloquent possible sermon against the immoral economic system of our time, a system which is rooted on a cruel and cynical avarice.

(2) Charity. Unworldliness, as the name implies, is essentially a negative virtue; it represents a break with a false ideal, but it is hardly a positive ideal itself. Charity, on the other hand, is essentially positive, and it is the greatest of the social virtues and indeed of all virtues. Even the most casual reader of the encyclicals will be aware of the enormous emphasis which they place upon it. Some of the more striking texts have been already quoted.

It is very important to realize that charity must be directed not only to individuals but to social groups as well. We are required not only to love this particular man, but also this particular race, this particular nation, this particular social class, and so on. It is difficult to understand those people whose delicate consciences are dreadfully upset about little sins of unkindness towards some individual neighbor, yet who express the most violent prejudices against Negroes, or Jews, or Japanese, without any apparent sense of guilt at all. If it is a sin to hate one man whom we know personally, is it less a sin to hate thirteen million Negroes?

Again, this is a virtue which our surroundings make it difficult to practice. Our world is full of violent prejudices and corrosive hatreds. To hold oneself aloof from class hatred, interracial hatred, and international hatred, calls for more than a little courage. Actively to oppose these hatreds calls for more courage still. Yet this is our plain Christian duty. We must take a firm stand and indigantly refuse to share the prejudices of so many of our fellow citizens.

Justice is an important virtue, but charity is more important still. For if we love our neighbors we shall certainly not allow ourselves to be unjust to them. A broad spirit of charity, then, is an obvious antidote for economic injustice, interracial injustice, and unjust war. The basic virtue of charity is a universal solvent in which all social problems melt away.

(3) *The Corporal Works of Mercy.* Charity is not very genuine unless it shows itself in action. "He who has the goods of this world and sees his brother in need and closes his heart to him, how does the love of God abide in him?" (1 John 3:17) The true test of charity is our willingness to help our neighbor in concrete ways and the most obvious thing to do is to help him in his material needs, in other words, to practice the corporal works of mercy.

There are various ways of practicing the works of mercy. One might write a check and mail it to some charitable organization. Thus one contributes to organized action. Without any question this is an excellent way of helping the poor; but the Catholic personalist will prefer to help the poor in person if he is able to do so. There is something sanctifying in this personal contact with the poor. The great saints loved it. It was their joy to serve the poor with their own hands, to wait on them at table, to nurse them in illness. This was personalistic social action of the highest order.

There is certainly a great need for organized charity. First of all, it is an old Catholic tradition going back to Apostolic days. St. Paul organized on a grand scale a collection for the poor in Jerusalem. Besides, without systematic almsgiving many poor people would be neglected. But such methods must be supplemented by personal charity. There is a great deal we can do in this field. Among our relatives, friends, and the various persons with whom we come in contact there are always some who need our help. If we do not have money to give them, we can give our time. Charity must not be estimated merely in terms of money. After all, visiting the sick is one of the corporal works of mercy.

(4) *The Spiritual Works of Mercy.* It is a great act of charity to succor our neighbor's corporal necessities; but it is a greater act to help his soul. Therefore the spiritual works of mercy must not be neglected. Again and again the encyclicals urge the necessity of right principles if the social and economic order is to be reformed. The modern world stands in pathetic need of the doctrines which we possess. To withhold them is positively cruel. Yet how often we allow our sluggishness or our false bashfulness to keep us silent. St. Paul told his disciple, Timothy, to preach the Gospel in season and out of season. It is not hard to present our teaching in season, on formal occasions, in set speeches, in conventional writings. But how hard we find it to present them out of season, in unconventional ways! While we allow a false sense of propriety to deter us,

our enemies are less inhibited. Communists are not afraid of rough-and-ready methods. They walk picket lines. They invade their opponents' meetings and challenge the speakers. They throw themselves into the thick of the fight in the face of personal danger. Personal danger! How weak and timid we often are! St. Paul taunted the Hebrew converts, "You have not yet resisted unto blood in the struggle with sin" (Heb. 12:4). It is seldom indeed that we risk bloodshed in our fight for social justice. A sneer, a sarcastic remark, a superior smile is all that is needed to make us beat a retreat. It was not so that the Faith was spread by the great missionary heroes of the Church. Even today there are courageous missionaries in foreign lands spreading the Gospel at the price of personal risk. But this brand of heroism is not needed in distant countries only. It is needed here and now. It is not for missionaries alone; it is for us. We shall not make much progress until we American Catholics show a great measure of the same dauntless spirit. This is the price we must pay for victory.

(5) *The Holy Eucharist*. The greatest means of personalistic social action is the Holy Eucharist. This statement should not sound surprising. For such is the doctrine developed in the encyclical, *Mirae caritatis*⁴ by Pope Leo XIII, the same Leo XIII whom we honor as the author of the *Rerum novarum*. The argument is simplicity itself. As the encyclicals under review have pointed out, the lack of charity is the great basic cause of our modern social and economic ills. The remedy, obviously, is increased charity; and the chief means of increasing this virtue is the Holy Eucharist, instituted for that very purpose. We must turn to the Mass then as our fundamental weapon. In this field, most emphatically it is the Mass that matters.

The Sacrifice of Calvary was the supreme expression of God's mysterious and infinite love for man. On the summit of Calvary charity reached its acme. But the Sacrifice of the Mass is the same sacrifice as that which took place on the first Good Friday. Thus Calvary is mysteriously multiplied, is made present to us day by day, and will be repeated in a strange and beneficent series unto the end of time.

When we receive the Sacred Host, our poor individualities are merged into the great unity of the Universal Church. All else melts

⁴Pope Leo XIII: Encyclical, *Mirae caritatis* (On the Most Holy Eucharist), May 28, 1902.

away. The foolish little distinctions which mean so much to worldly men recede into their proper insignificance. Wealth and poverty matter no more. Race and nationality matter no more. Health and sickness matter no more. Our little private sorrows lose their importance. This is love strong as death and, like death, it is a great leveller. Viewed in the light of love our personal ambitions appear in their true unimportance.

If we realize what the Holy Eucharist means, which of us could turn back from the Communion rail without feeling his heart burning within him with a most ardent love of God and neighbor? It is this love which welds us into a great unity. We become conscious that our true dignity lies in the fact that we are members of the Mystical Body of Christ. The important thing is that the body should wax and develop. Our own importance lies, not in the fulfillment of our selfish ambitions, but in our functions as members of the Body. True greatness belongs to him who does his part well, as a member of Christ, be that part outwardly striking or unimportant. If we grasp this spirit at Mass, we shall almost inevitably carry it over into our social and economic life, where cooperation will now supplant a hateful competition and the body politic will reflect the perfection of the Mystical Body of Christ.

These same truths are repeated with burning eloquence in the *Quadragesimo anno*: "Then only will a true cooperation for a single common good be possible when all members of society intimately feel themselves to be members of one great family and children of the same Heavenly Father, nay, one body in Christ, 'severally members one of another' so that 'if one member suffer anything, all the members suffer with it.' Then the rich and powerful will change their former indifference towards their poorer brethren into a solicitous and active love, will listen with an open mind to their just complaints, and will freely forgive their possible faults and errors. Workers, on the other hand, will lay aside all feelings or hatred and envy which promoters of class conflict so cunningly arouse. They will not only not despise the position in human society assigned them by Divine Providence; they will take pride in it, knowing full well that each according to his endowments and duties is usefully and honorably toiling for the common good and is closely following in the footsteps of Him Who, being in the form of God, willed to be a carpenter among men and to be known as the son of a carpenter" (QA, 137).

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Rural Culture in Europe and America

JOHANN MOKRE

The Organic Type of Man

There is one central feature in the character of genuine country people which gives us the key to the understanding of almost every expression of their attitude toward life. This is their proximity to nature. It is not a mere sentimental relationship, like the weekend enthusiasm of their city cousins; but rather a very real dependence of their entire lives upon nature. They make their living by hunting and fishing, by tilling the soil and raising livestock. Originally they took their food, clothing, and shelter directly from nature. They adapt their lives to the rhythm of nature throughout each day and year. This makes for a way of living not fastidious but wholesome: neither rich nor poor but frugal, neither hasty nor lazy but industrious, neither exalted nor enslaved but free.

This physical dependence upon nature has its psychological consequences. Nature can be controlled only in part. At any moment the farmer is likely to be faced with forces before which he is powerless. This is what makes country people religious in the widest sense of the word, a fact that is manifest in the myth and magic of primitive peoples, or in the deification of natural forces in the religions of antiquity, or again, in the creation of the style of life interwoven with Christian ideas and symbols which flourished in the European Middle Ages. To be sure, God can be seen and felt in the working of physical and chemical laws in a laboratory or in an industrial plant. This, however, is too remote a relationship for the understanding of simple men. In the environment of the city, men rely far more upon man-made devices than in the solitude of the country. The city lacks both the impressiveness of natural catastrophes like the thunderstorm, flood or drought, as well as the tender beauty of a sunrise, a starlit night, or mist hovering over a lake. That country people are susceptible also to these finer influences and are governed not only by fear in their supernatural tendencies can be seen from the almost artistic choice of sacred trees or groves in pagan times or awe-inspiring sites for shrines later on.

The natural and religious character of country people has likewise a deep influence upon their social outlook. Nature is not composed of isolated elements; it does not develop by leaps and bounds but reveals a gradual progression from one stage, or level, to the next. In the same way, the natural man does not regard himself as an isolated unit, but rather as an element of a greater social organism: the family and tribe. His highest virtue is not the display of a powerful personality but rather complete adjustment into the social environment. And the social group is not confined to the present generation, but is linked with ancestors and posterity as well. Thus, as is exemplified in custom and tradition and in folkways surrounding popular art and workmanship, a standard and traditional attitude rather than an individualistic one is the result.

Now these three features — proximity to nature, religiousness in the largest sense of the word, and community outlook (the last two of which can be derived from the first) — are characteristic not only of country people but of any "organic men." This is the threefold reverence Goethe had in mind when he spoke of the reverence toward the world above, around, and beneath us, which in his opinion is indispensable for any culture. This attitude we find not only in countryfolk, or primitive peoples, but also in every child unspoiled by the artificiality of modern life. As a rule, children refuse highly prepared foods; they demand the necessary amount of sleep, etc. They are not individualists. In their early years, they cling to their mothers; later they form play groups, and the games they play are often traditional games of age-old origin. And above all, they live in a magic world of fairy-tale and are highly susceptible to myth, superstition, and religion. They are not specialized but organic elements in an organic, natural, social and supernatural world.

Much of this natural, social and supernatural environment in which the child's life is embedded is childlike or even childish. When the child grows up, he leaves behind the childish forms. Now a serious crisis may arise. If form and content were too closely intertwined, the latter may be given up with the first. This is the typical course of youthful radicalism, beautiful even in its unconsidered fanaticism for truth. They cannot believe in Santa Claus any more, and therefore Christmas has lost all meaning for them. But men cannot live with empty souls. In their longing for the world of their childhood these adult "nihilists" try sometimes to

imitate childishly the ways of children. Just for fun they indulge in an artificial primitivity of games and picnics and what not; but unsuccessfully. They are unable to deceive themselves because there is never a real way back. What they need are symbols of a higher world so concrete that, while appealing to children, are still susceptible of a higher interpretation and can be transformed with the passing of years.

The Development of the European Man

This digression in the psychology of child development was necessary because it is an exact parallel of the development of mankind as a whole. For our purpose, we need not go back further than to the early Middle Ages in Europe. At this period most of the people were typically "organic men." The typical occupation was agriculture. Even in the few towns which existed, every home had its own field, garden, and stable. Society was characterized by a group standard rather than individual culture, community feeling rather than individualism, tradition rather than inventiveness. All people accepted the universal philosophy of life derived from the teachings of the Christian religion — although sometimes strangely mingled with superstition and remnants of ancient pagan magic. By and large, we may say that this period reflected a youthful, childlike state of mind. But this childlike man grew up and underwent a process of awakening similar to that experienced by the individual at the age of puberty. This period of awakening in the history of the race was the age of Humanism and the Renaissance, with its emphasis upon man, its individualism, and its skepticism.

Here begins the historical process of secularization, which reaches its theoretical peak in the age of enlightenment. Awe and reverence for nature were replaced more and more by technical domination and exploitation of nature; society, economics and politics were based on the individual; religion was "purified" and diluted into mere ethics. The result was a society consisting of individuals far from nature, far from one another, and far from God. The happy dream of an unlimited progress which took its origin here soon came to an end. The expected development was rather in the direction of a "bellum omnium contra omnes" resulting eventually in the first World War.

For a short historical moment mankind gazed frightened into the abyss before it. A short-lived spiritual revival followed the first

World War among the very middle class people who had advanced farthest upon the road of secularization. In a new realistic philosophy, in the liturgical movement, in new educational ideas, in the youth movement, in a new architecture, and in a fresh cultivation of custom and tradition, the new spirit became manifest. But the "three kinds of reverence" were no longer strong enough, and this promising development came to an end before it had had any considerable effect.

Thereupon the victims of secularization were exposed to the rival forces of two all-engulfing movements. In one case the process of secularization was accepted and pushed forward to complete spiritual nihilism. This was the objective of Russian Bolshevism in promoting a materialistic and atheistic philosophy. But the dark grandeur of class ethics and machine worship cannot conceal the fact that this desperate hope for unlimited material progress leads to starvation of souls and results eventually in hopeless despair or violent explosion. It was, paradoxically, a way of superficial radicalism.

The other is the way of thoroughgoing radicalism. The new national movement in Germany recognized the importance of the three characteristics of the organic type of man, but at the same time realized that they were fading away. It, therefore, decided to reconstruct them. The catchwords "blood" and "soil" can be interpreted as symbols for proximity to nature (soil) and for the uninterrupted chain of custom and tradition (blood). We can subscribe to the first and also to the measures taken to bring city people back to the country. As to the second, no one can object to the cultivation of custom and tradition; but custom and tradition in Europe originated in a background of faith which was formerly pagan and later Christian. Without this background they are empty forms doomed to deteriorate and eventually to vanish. For reasons which need not detain us here, the new movement refused to consider the strengthening of the forces of Christian tradition. But when the attempt to restore a pagan faith borrowed from pre-Christian times proved unsuccessful, it became necessary to create a new creed to serve as the background to the revitalized custom and as a connecting link of past and present in tradition: hence the racial myth already implied in the word "blood" of the formula "blood and soil." The "enlightened" minds of middle class people were attracted by the pseudo-scientific appeal to biology, which was still indefinite enough to serve as a substitute for a mythological belief.

But in thus providing a mythological background for custom and tradition, a fatal self-contradiction was encountered. Custom and tradition can be preserved only in the living structure of their original background. Neither they nor their background can be manufactured at will — or they would not be "organic." The very attempt to make beliefs conform with one's desires is bound to destroy them. And in addition, it is very improbable that a manufactured faith will be adhered to in the long run.

Thus the Bolshevik way despoils completely those who have even a remnant of the "organic" in their outlook and gives nothing to those who have lost it. The National Socialist way likewise tends to destroy what remains of the "organic" in the former and gives only an artificial substitute to the latter. Both ways are, therefore, unsatisfactory. Only the following course remains: as far as the countryfolk of Europe still retain the organic characteristics, it is the best educational policy to preserve this organic outlook and to help them to make the transition from "dream" to "alertness" in the most painless way. As to the others, a way must be found to build up a new organic outlook.

The American Cultural Development

We have dwelled at length upon the cultural development in Europe because that continent affords, as it were, a gigantic laboratory. America is in the happy situation of being able to learn from the experience and profit by the mistakes of her cultural forebears. This, however, can be done intelligently only if the diverse conditions of the two regions are kept in mind.

From the viewpoint of popular culture, it is perhaps America's greatest tragedy that the Indians have been practically wiped out. Those who have survived, artificially preserved on reservations, have no influence whatever on American culture. Had this indigenous population been amalgamated with the immigrant peoples, a typical American culture might have arisen, just as the European culture originated from the blending of antiquity and Christianity with the barbarian culture of the North.

Instead, with the possible exception of some influence from imported African slaves, American culture was formed wholly by European immigrants. Now these immigrants were by and large not of the organic type, for the simple reason that the latter do not migrate; they are too attached to the soil which has nourished them.

Many of the immigrants were middle class people driven from their homes for religious, political, or economic reasons; and even if they turned to farming, they did not become true country people, but remained "entrepreneurs" using the soil instead of factories to make their living.

Immigrants who had been farmers were either of the calculating and daring type — and just for this reason anything but "organic men" — or so helpless and wretched that they were unable to withstand the cultural shock involved in changing their environment, thus becoming suitable material for industrial employment and ultimate proletarianization.

This picture is perhaps somewhat exaggerated for the sake of emphasis; but it serves to show why the cultural backgrounds of the immigrants had such limited influence upon the cultural development in this country. Since many of the immigrants had left their native countries under pressure, they sometimes cherished a resentment toward their homeland and did not wish to preserve the old traditions. In addition, the immigrants came from so many different parts of Europe, and possessed such widely varying cultural backgrounds, that it was almost impossible to mould these different heritages into one cultural pattern. That is why typically American folk-songs, folk-dances, popular customs, etc., hardly exist.

Moreover, the development of a new culture is rendered difficult by the peculiar type of rural settlement found in America. With few exceptions the village community is unknown. A high family culture may develop in the prevailing mode of settlement of isolated farms, but hardly a common cultural pattern over a wider area. It is true that this isolation can be overcome to a certain degree by modern means of communication; but it is precisely these factors which do not tie the farmer to his rural environment, but which rather sweep him into the urban culture and style of life.

The peculiar composition of the immigrating population likewise contributed to the urbanization of American culture. This in turn influenced the American farmer's attitude towards nature. He regards nature not as a revered mother, but as a means to make money. Hence the one-crop system, soil-mining, and the extreme mobility of the farm population. Add to this the fact that the lesser degree of mildness of the climate makes men wish to shut themselves off from nature instead of fraternizing with her — witness air conditioning, screens, lowered shades, and steam heat —

and it is apparent that the mind of rural America is far removed from that of the "organic man."

Educational Conclusions

An educational program based on the slogan "back to nature" would therefore hardly appeal to Americans — not even to American farmers. A program for the preservation of the cultural heritage would fail, because there is not enough of a common culture to be preserved. The only alternatives are nihilism or the building of a new organic attitude.

It is superfluous to point out why we discard the first. Consequently, our only course is the second, and this applies to the entire field of American culture, urban as well as rural. This does not imply that we must strive for uniformity of culture; but since there is almost nothing to preserve, rebuilding is necessary in both city and country; the only difference being in the method of approach, which will vary in accordance with the different (rural and urban) environments.

It is easier to develop a genuine culture in the country than in the whirl and artificiality of the city. A genuine culture implies a style of life which receives its unity from a common center; and in rural society, life and work, home and workshop, family and hired workers form much more of a unity than would be possible in the city. Man and wife, parents and children are more easily united in a natural common interest, and play and work of the children shade imperceptibly one into the other.

This natural unity of life and work should influence the choice of tools and artifacts and will govern the style of dress and form of recreation of the cultured rural family. In such a rural environment mass-production furniture, up-to-the-minute wearing apparel, and cheap magazines strike a jarring note. Commercialized entertainment is out of place and should give way to folk-dances and folk-games and other forms of recreation which spring naturally from rural surroundings. At the same time the organic rural mind finds opportunities for self-expression in the myriad forms of art and handicraft which have always been characteristic of a genuine rural culture.

This natural unity of life and work must form the basis for any revival of a typically rural culture. Without this spiritual unity, it would be futile to "introduce" custom and tradition and

a rural style of life. They would be only empty forms and could not survive. But since a typically rural mind no longer exists in America, where can we begin? The most favorable prospects would seem to be the vestiges of an "organic" mind which still exist in the religious heritage of America.

The religious situation in America is complex, even apart from the diversity of denominations. There is probably a higher proportion of the people who never come in contact with religious ideas than is the case in Europe where the entire cultural atmosphere shows the impress of an age-old Christian history. Among the people touched in one way or another by religion, the degree of mystical profundity is probably small in both cases, but in all likelihood relatively lower in America. However, on the average, religious activity seems to be somewhat higher in this country, and it is just this average which is significant from a sociological viewpoint.

Owing to its all-embracing character, the religious idea is most suited to form the center of unity in social and cultural life. It offers also the unique advantage of such a wide range of symbols and associated ideas that it can appeal to the simplest mind as well as to the most educated, and it can accompany the individual and group throughout the development from youthfulness to maturity. We can make this clear by returning to our example of Santa Claus. This is a poor symbol compared with the Christmas tale of the Christ Child as it is told in Europe. Little children believe that the Christ Child accompanied by angels flies from window to window bringing gifts to good children; and there is a gradual transition from this concept to the understanding of the beautiful custom of commemorating, by giving gifts to one another, the bringing of love into the world on the first Christmas Day. Folklore teaches us that the underlying custom and tradition have through the centuries undergone a transformation similar to that which we can observe in the lifespan of one individual, as for instance, in the beliefs surrounding the Christ Child. It is not by chance that all great cultures were inspired by religion.

Catholic Rural Culture

Catholic farmers represent only a small minority in America, but from the cultural viewpoint they are in a favored situation. It can be said without offending other Christian creeds, that Catholicism has preserved most of the organic character we described earlier,

while the reformation creeds originated just as the process of secularization was beginning and have retained the corresponding individualistic character. It can be hoped, therefore, that the Rural Life Movement will find a more fertile soil among the Catholic farm people.

In looking for a vigorous center of rural culture we consider not the dogmatic system of the religion so much as the style or form of religious life which influences the cultural life of its followers. In the two thousand years of its existence, various styles of religious life have developed within the bosom of the Catholic Church at different times and in different places. Which of these is most congenial to the organic type of rural life? We noted that the characteristics of this way of life were proximity to nature, emphasis upon community rather than the individual, and a disposition to feel the mystery in nature and life. Translated into the language of religion, this means: natural symbolism, the idea of community, and mysticism. These, however, are the essential components of the liturgical spirit.

Almost all liturgical symbolism and language is taken from nature: bread and wine, fire and wax, oil and water, the lilies of fields, the sheep, the fish, and the dove, the trees and the grass, the sun, the moon, and stars. The sacred play of the liturgy touches the flying hours of the day, the days of the week, and the changing seasons of the year, and is governed by these recurrent changes just as is the life of rural people. So remote is individualism from the spirit of the liturgy that its language ignores the "I" and speaks almost exclusively of the "We," while the belief in the mystical body implies as a matter of course mutual intercession and sharing of spiritual goods and identification of the Christian people with the saint of the day. The Sacrifice of the Mass is essentially a community celebration, and so is the official prayer of the Church. Mystical elements are interwoven throughout the whole fabric of Christian liturgical worship. We find them again in the sacraments which accompany man throughout his entire individual and community life, and in the sacramentals which, like rural custom and tradition, cover almost every phase of life and work.

But if this be the case, we are faced with the problem, referred to above, that American rural people have lost the feel for custom and tradition and should therefore be unresponsive to the liturgy which has so much in common with these. However, it is of the

nature of the liturgy that it rises above mere custom and tradition and builds up a highly spiritualized interpretation on the broad basis of a natural symbolism. Owing to this bipolar character, the liturgy with all its concrete symbols appeals to the simple mind of the organic man as well as to the abstract thinking of the cultivated intellect.

Moreover, because both aspects are inseparably linked together in the liturgy, it can gradually lead the simple and concrete mind to the heights of meditative speculation and the more sophisticated mind back to the wise simplicity of a child. And this is done not by abstract teaching but through an educational process which brings home the supernatural reality. The liturgy therefore seems to be an ideal educational and cultural agency capable of preserving the organic way of life where it still exists and of reviving it where it has been lost. But this is precisely what we consider the goal of rural culture — and we may add — of human culture in general.

St. Louis University



1941 Research Census of Members of the American Catholic Sociological Society

MARGUERITE REUSS

The research projects are arranged alphabetically by name of author. They are classified according to the author's preference in the various groups used by the American Sociological Society.

Social Psychology

1. Person and Society according to St. Thomas Aquinas. Franz Mueller, College of St. Thomas, St. Paul, Minnesota.
2. College Students' Attitudes towards certain Educational, Social and Religious Questions. Brother Gerald Schnepf, S.M., St. Mary's University, San Antonio, Texas.
3. The Racial Attitudes of Catholic College Students in the Archdiocese of Chicago. Edward Marciniak, Loyola University, Chicago, Ill.

History of Sociology

4. History of Social Thought. Rev. Paul H. Furfey, Catholic University, Washington, D. C.
5. Personalism in the Encyclicals (forthcoming in *The American Catholic Sociological Review*). *Idem*.
6. Social Action in the Early Church, 30-180 A. D. (Theological Studies 2:171-197, May, 1941). *Idem*.
7. Werner Sombart in memoriam. Franz Mueller, College of St. Thomas, St. Paul, Minnesota.
8. History of Sociology. Marguerite Reuss, Marquette University, Milwaukee, Wisconsin.
9. History of Sociology. Eva J. Ross, Trinity College, Washington, D. C.

Theory of Sociology

10. Social Processes and Sociology. Sister Mary Liguori, B.V.M., Mundelein College, Chicago, Illinois.
11. Sociological Frames of Reference. L. P. McHattie, S.J., Carroll House, Washington, D. C.

Methods of Research

12. A Study of the Contents and Trends in the *American Journal of Sociology* and the *American Sociological Review*. Clement S. Mihanovich, St. Louis University, St. Louis, Missouri.

Social Statistics

13. Study of Family Composition of 85 Freshmen College Students. Comparison with family composition of freshman's parents. Sister M. Leonard, B.V.M., Clarke College, Dubuque, Iowa.
14. Study of Marriage Rate of Clarke College Alumnae. *Idem*.
15. A Study of the Marital Status of the Alumnae of the College of Notre Dame of Maryland. Margaret M. Toole, College of Notre Dame of Mary, Baltimore, Maryland.
16. A Study of the Social Characteristics of the City of Baltimore. *Idem*.

Human Ecology

17. Ecology of Feeble-mindedness in Milwaukee. Marguerite Reuss, Marquette University, Milwaukee, Wisconsin.

Rural Sociology

18. Rural Sociology: The "Pineys" — Rural Undeveloped Communities in Central New Jersey. Edwin Mulligan, S.J., St. Joseph's College, Philadelphia, Pennsylvania.
19. Trends of Modern Advertising in relation to the Rural Life Program. Eugene Murray, S.J., Woodstock College, Woodstock, Maryland.
20. Vanishing Homesteads (N.C.W.C. publication). Rev. Edgar Schmiedeler, O.S.B., 1312 Massachusetts Avenue, N.W., Washington, D. C.

Educational Sociology

21. Mimeographed Revision of Text on Social Problems. Rev. Francis Friedel, S.M., University of Dayton, Dayton, Ohio.
22. Introduction to Sociology. Paul J. Mundie, Marquette University, Milwaukee, Wisconsin.

Community Problems

23. Recreational Resources in Specific Area of Hartford. Sister M. Corita, St. Joseph's College, West Hartford, Connecticut.

24. Community Problems. Rev. Vincent Dore, O.P., Providence College, Providence, Rhode Island.

25. Community Changes Resulting from Defense Migration, with special Reference to Ravenna, Ohio. F. W. Gross, Notre Dame College, South Euclid, Ohio.

26. Sociology and the Community. Evaluation of Most Important Social Problem in each Neighborhood. Rev. John Halpin, 2496 Marion Avenue, Bronx, New York, New York.

27. Race Prejudice. Sister M. Henry, O.P., Rosary College, River Forest, Illinois.

28. Legal Problems in Nursing. Sister Ann Joachim, O.P., Siena Heights College, Ardian, Michigan.

29. Georgetown Children's House — Community Child Study. A. J. Kress, Georgetown University, Washington, D. C.

30. Washington Girls' Club — Community Study in Group Needs, particularly Recreational and Social. *Idem*.

31. Contemporary Racism in America. Rev. Vincent McQuade, O.S.A., Villanova College, Villanova, Pennsylvania.

Sociology and Social Work (28)

32. Sociology and Social Work. Rev. Vincent Dore, Providence College, Providence, Rhode Island.

33. Undergraduate Volunteer in Social Work. Sister M. Henry, O.P., Rosary College, River Forest, Illinois.

Family (13, 14, 15, 20)

34. Changing Aspects of the Catholic Family in America. Sister M. Christina, I.H.M., Marygrove College, Detroit, Michigan.

35. Family Course in Catholic Women's Colleges. A. H. Clemens, 1124 Moorlands Drive, St. Louis, Missouri.

36. Preparation of College Students for Marriage and Family Life (*Catholic Family Monthly*, August, 1941). Rev. Francis J. Friedel, S.M., University of Dayton, Dayton, Ohio.

37. Problem of Divorce in Montgomery County, Ohio. *Idem*.

38. Text on Marriage and Family (Mimeographed). *Idem*.
39. Sociology and the Family. Rev. John Halpin, 2496 Marion Avenue, Bronx, New York, New York.
40. Threat of American Decline (N.C.W.C. publication). Rev. Edgar Schmiedeler, O.S.B., 1312 Massachusetts Avenue, N.W., Washington, D. C.

Sociology of Religion

41. The Offertory of the Mass (or the sacrificial community). A series of articles now appearing in *The Living Parish*. Franz Mueller, College of St. Thomas, St. Paul, Minnesota.

Criminology

42. The Unmarried Mother in St. Louis County, Minnesota, for 1938-1940 inclusively. Sister Celestine, O.S.B., College of St. Scholastica, Duluth, Minnesota.
43. Criminology. Rev. Vincent Dore, O.P., Providence College, Providence, Rhode Island.
44. Morals and Delinquency Problem (*Ohio Crusader*, January, 1941). Rev. Francis J. Friedel, S.M., University of Dayton, Dayton, Ohio.
45. The Woman Offender, Treatment Program for First Offenders in Women's Court of Chicago. Rev. Ralph A. Gallagher, S.J., Loyola University, Chicago, Illinois.
46. Survey of Crime Rate in Philadelphia, 17 District. Rev. Edwin Mulligan, S.J., St. Joseph's College, Philadelphia, Pennsylvania.

Political Sociology

47. Political Sociology. Rev. Vincent Dore, O.P., Providence College, Providence, Rhode Island.
48. Group Relations in a Democracy. Rev. Francis J. Friedel, S.M., University of Dayton, Dayton, Ohio.
49. Private Educational Institutions and the Social Security Act. Rev. Vincent McQuade, O.S.A., Villanova College, Villanova, Pennsylvania.

Christian Social Principles

50. Christian Social Principles. Rev. Cuthbert E. Allen, Belmont Abbey College, Belmont, North Carolina.

51. The Popes and Christian Citizenship. Rev. Francis J. Boland, C.S.C., 1312 Massachusetts Avenue, N.W., Washington, D. C. (Asst. Director Rev. R. A. McGowan)

52. Functional Basis of Social Justice. William Brennan, 2154 — 61st Street, Brooklyn, New York.

53. America's Peace Aims and World Society. Catholic Association for International Peace (Rev. R. A. McGowan, Acting Executive Secretary), 1312 Massachusetts Avenue, N.W., Washington, D. C.

54. Designs for Social Action. Rev. John M. Hayes, S.T.D., National Catholic Welfare Conference, Washington, D. C. (Assistant Director Rev. R. A. McGowan).

55. After Capitalism — What? Walter John Marx, Catholic University, Washington, D. C.

56. The Society of St. Vincent de Paul as a Means of Promoting the Aims of the Social Encyclicals (Master's Thesis at Catholic University). Rev. Marcus O'Brien, St. Vincent's Seminary, Latrobe, Pennsylvania.

57. Christian Social Principles. Eva J. Ross, Trinity College, Washington, D. C.

Social Economics (52)

58. Wages; Closed Shop Problem. Theo. Brauer, 2126 Lincoln Avenue, St. Paul, Minnesota.

59. Collective Bargaining under the New Deal 1933-1941. A. H. Clemens, 1124 Moorlands Drive, St. Louis, Missouri.

60. Social Economics. Rev. Vincent Dore, O.P., Providence College, Providence, Rhode Island.

61. The Cooperative Order. Rev. Francis J. Friedel, S.M., University of Dayton, Dayton, Ohio.

62. Jobs, Prices, and Unions. Rt. Rev. Msgr. Francis J. Haas, N.C.W.C., 1312 Massachusetts Avenue, N.W., Washington, D. C. (Asst. Director Rev. R. A. McGowan).

63. Social Aspects of the Murray Plan for Industrial Cooperation. Edward Marciniak, Loyola University, Chicago, Illinois.

64. Mechanization and Culture. Walter John Marx, Catholic University, Washington, D. C.

65. Twilight of Capitalism. *Idem.*

66. Cooperation: A Christian Mode of Industry (Catholic Literary Guild). Rev. Edgar Schmiedeler, O.S.B., 1312 Massachusetts Avenue, N.W., Washington, D. C.

67. Lengthening Shadows (a book in explanation of capitalism to be published by the Catholic Literary Guild of New York on or about January 1, 1942). Thomas Wiley, College of St. Teresa, Winona, Minn.

68. Parish Labor Schools. Walter Willigan, St. John's University, Brooklyn, New York.

Social Anthropology

69. Navaho Child Life: Field Work in Arizona. Sister M. Inez Hilger, O.S.B., St. Cloud School of Nursing, St. Cloud, Minnesota.

70. Primitive Child Life among the Arapaho Indians: Field Work in Oklahoma and Research in Field Museum, Chicago (exhibits and library). *Idem*.

71. Social Life of Primitive Man (book published August, 1941, by Herder Publishing Co. — co-author with Franz Mueller). Rev. Sylvester A. Sieber, S.V. D., 6045 South Michigan Avenue, Chicago, Illinois.

Marquette University



Fundamental Problems of the Sociology of Law

N. S. TIMASHEFF

The sociology of law, together with the sociology of knowledge, is one of the youngest branches of that relatively young science which is sociology. Though the term, the "sociology of law," was formulated in 1892,¹ and though a book appeared in 1913 entitled "Fundamental Principles of the Sociology of Law,"² it was not until the last few years that law was actually submitted to sociological study. The challenge of the initiators was well received, and during a surprisingly short period of time a number of significant works appeared in the field. However, no agreement has thus far been reached in regard to the fundamental problems of this new science. This is perhaps sufficient reason to proceed to their review.

The first problem is whether a sociology of law is logically possible. The doubt arises from the confrontation of two factors: (1) law is obviously a complex of value judgments; — (2) sociology is a nomographic science establishing and explaining uniformities in social phenomena. Sociological study is essentially the study of that which is, whereas the study of law seems to be necessarily a study of that which ought to be. And as there is no logical transition from axiological statements to ontological ones and *vice-versa*, a sociology of law is theoretically impossible; at least, such is the contention of the Vienna school headed by Kelsen.³

However, the reasoning of the Vienna school is based on a fallacious methodological purism in the Neo-Kantian style. In actuality, different aspects of the same phenomenon may be studied by different methods in different sciences; but this should not induce us to deny the genuine identity of the phenomenon.⁴ Values may be

¹ D. Anzilotti — *La filosofia del diritto a la sociologia*, Firenze, 1892.

² E. Ehrlich — *Grundlegung einer Soziologie des Rechts*, München, 1913; English translation, "Fundamental Principles of the Sociology of Law," Cambridge, 1936.

³ The clearest expression of Kelsen's position may be found in two book reviews published by him in *Archiv für Sozialwissenschaft und Sozialpolitik*, vol. 34 (1912) and vol. 35 (1915).

⁴ For a refutation of the methodology of the Vienna school cf. F. Kaufman, "The Significance of Methodology for the Social Sciences," *Social Research*, vol. 6 (1939), and A. Brecht, "The Myth of Is and Ought," *Harvard Law Review*, vol. 54 (1941), pp. 811 ff.

studied, as such, by jurisprudence and by other sciences of the same type;⁵ activities of men not related to values may be studied by biology and psychology. But the fact should not be ignored that values are recognized by men who accept for guidance norms oriented towards the realization of these values; in this way values are embodied in biopsychic reality (of which social reality is a part) and become a possible object for study by methods generally used for the understanding of that which exists.⁶

Another methodological difficulty must be discussed at this place. Sociology, as every nomographic science, endeavors to formulate propositions of general validity. On the other hand, law is a cultural acquisition unknown to many primitive societies.⁷ Consequently, it might be assumed that no sociological proposition could be formulated concerning law. However, this doubt is based on misunderstanding.⁸ Sociological propositions must be applicable to indeterminate sets of cases characterized by the recurrence of identical conditions (isolated aspects of concrete phenomena) and, consequently, they may not be restricted to concrete time and space; but nothing else is required from them. Hence, a proposition of the type "if a society is endowed with law" . . . may be considered a sociological proposition. Moreover, there may be sociological propositions about law valid in regard to societies of a specified type (primitive society, intermediary society, advanced society, or their subtypes), or propositions related to the existence of law of a specified type. Naturally, the corresponding types must be given clear-cut definitions without reference to concrete time or space.

The second problem of the sociology of law is posed by the necessity of isolating from the whole of social reality, that part which is legal reality, *i. e.*, reality reducible to the existence and influence of law. Once more methodological difficulties arise at this point.

⁵ W. Wundt — *Völkerpsychologie*, vol. 9 (Leipzig, 1918), is responsible for the idea that jurisprudence is a normative science and its method is normative. Actually jurisprudence is an ideographic, or descriptive, science; the normative science in the field of law would be "legal policy," which might be created after the sociology of law would have reached a sufficiently high level.

⁶ Cf. Brecht, *op cit. supra*, note 4, pp. 816-17.

⁷ There is a trend in modern ethnology ascribing legal character to some forms of societal regulation in primitive society. Typical is the position of B. Malinowski, *Crime and Custom in Savage Society*, London, 1926.

⁸ This misunderstanding appears very clearly in the otherwise very stimulating article of A. R. Lindesmith, "A Sociological Theory of Drug Addiction," in the *American Journal of Sociology*, vol. 93 (1938).

In a very stimulating article,⁹ G. Gurvitch denies the very possibility of proceeding to this fundamental operation within the scope of the sociology of law; in his opinion, the task must be performed by the philosophy of law which has to formulate the necessary criteria. This is certainly not new. Up to the rise of a "General Theory of Law,"¹⁰ late in the nineteenth century, the task of isolating law from other phenomena was attributed exclusively to the philosophy of law. Gurvitch presumes what was being done fifty years ago, but assumes to possess a good remedy against the errors of his predecessors: immediate experience and "reduction" as visualized by the phenomenological school in philosophy must yield an impeccable result.

The problem whether phenomenology is a good or poor philosophy cannot be discussed at this place;¹¹ but a more fundamental problem is involved: that of the relationship of the philosophical and the empiric scientific study of the same fragment of reality. The solution of the problem depends on the recognition of the fact that, in the material directly experienced by the human mind, phenomenal and ontological elements are mixed. Empiric science results from the selection of phenomenal elements, and philosophy from that of the ontological ones.¹² The criterion of empiric science is the possibility to postulate, in regard to its propositions, recognition by all normal minds having received the necessary training to understand them.¹³ This may be achieved only if quite definite methods, the so-called empiric methods, have been carefully used when finding these propositions, and, consequently, the scope of empiric science is limited to that which is knowable through the application of these methods.

⁹ "Major Tasks of the Sociology of Law," *Journal of Social Philosophy*, vol. 6 (1941), pp. 197-215. This article is a condensation of the author's book *Eléments de Sociologie Juridique*, Paris, 1940. The book has been reviewed by the writer in the *Am. Journ. Sociol.*, vol. 46 (1940), and by M. Rheinstein, "Two Books of the Sociology of Law"; *Ethics*, vol. 51 (1941), pp. 220 ff.

¹⁰ Inaugurated by A. Merkel and known in this country in the excellent example of Korkunoff's book (English translation, Boston, 1909).

¹¹ Up to the recent days phenomenologists have avoided the application of their methods to the field of law; cf. Brecht, *op cit. supra*, note 4, pp. 827 ff. Among other works cf. G. Leibholz, "Les tendances actuelles de la doctrine du droit public en Allemagne," *Archives de Philosophie de Droit et de Sociologie Juridique*, vol. 1 (1931), pp. 207-224.

¹² Adapted from J. Maritain, *Scholasticism and Politics*, New York (1941), pp. 31 ff.

¹³ K. Pearson, *The Grammar of Science*, London, 1900, pp. 53-54.

Philosophy takes for granted empirically established facts,¹⁴ and quite naturally does not duplicate empiric science in regard to the empirically knowable aspects of reality. Philosophy studies that which is empirically unknowable and, doing so, uses its own methods. Knowledge about being is thus gained, but propositions in which this knowledge is formulated do not postulate the same kind of recognition as empiric propositions: incompatible philosophical theories are simultaneously maintained by different minds, and no *experimentum crucis* is possible which would decide in favor of one of the conflicting systems: the choice between them relies on the comparative soundness of the logical reasons, and this comparative soundness remains subject to discussion. Consequently, it is quite possible to say that he who does not recognize a sound philosophical proposition errs, but he is not to be considered abnormal. That is the case when one refuses to recognize empirically established facts.¹⁵

Empiric propositions are not quite independent of philosophy; for even when concentrated on phenomena, our mind does not cease to refer to being. In other words, a man cannot be completely divided into a subject of empiric knowledge and a subject of philosophical knowledge; trying to be "only empirical," one still remains a philosopher. By necessity, when formulating an empiric proposition, a definite epistemological and ontological position must be manifested. When I say: "This is a brown desk," I implicitly recognize (1) that there is reality beyond my sense impressions, and (2) that this reality is knowable. A neo-positivist should say: "Every time a representative of the species *homo sapiens* approaches the field of forces determined by the co-ordinates X, Y, and Z, it is highly probable that sense impression will arise which, in the system of symbols accepted in the area around the intersection of the mentioned co-ordinates, are designated by the terms 'desk' and 'brown.' " Both propositions mean exactly the same insofar as empiric reality is concerned. In general, the meaning of an empiric proposition does not depend on the philosophical position in terms of which it is couched. Consequently, this is an additional criterion of

¹⁴ In contradistinction to opinions and guesses of scientists.

¹⁵ The ideas expressed in text should not be confused with philosophical relativism of the kind developed in one of M. Adler's early books, namely, *Dialectics*: choice on the basis of logical reasons is not only possible, but inevitable for every mind; agnosticism is just one of the philosophical positions, and the attitude expressed in the sentence "I do not care for metaphysics" is merely the manifestation of unconscious adherence to very naive epistemological and metaphysical positions.

empiric propositions that they can be restated in terms relating to different philosophical positions,¹⁶ whereas philosophical propositions cannot.

In absolute opposition to the standpoint above, Gurvitch states that "there is no sociology of law without a philosophy of law." The meaning of this proposition is that the empiric science which is the sociology of law can be constructed only if a definite philosophical theory of law is accepted for guidance.¹⁷ Truly, Gurvitch seems to recognize that the dependency of the philosophy of law and the sociology of law is mutual. But he merely seems to do so. He concedes that the philosophy of law would remain sterile if it did not accept social reality as its point of departure and reference. But dependence on the same material as the sociology of law is not identical with dependence on the system of propositions elaborated by that discipline. In Gurvitch's opinion, a philosophy of law (*i. e.*, a particular philosophical theory of law) imposes on the sociology of law the fundamental conceptual scheme; it is almost impossible that propositions formulated in such a sociology would not corroborate the philosophical theory underlying the study. The vicious circle, of the possibility of which Gurvitch is fully aware, is not avoided; and reasoning in a circle actually characterizes a large part of his work which appears to be a philosophical theory of law under the disguise of a sociological system.

The conclusion is that Gurvitch's approach to the problem of the isolation of law from the whole of social reality is methodologically unsound. On this assumption a hopeless confusion between scientific and philosophical study is created and science is submitted to a process of compartmentalization; a theory, considered scientific by the author but based on a specialized philosophical theory, will be rejected *ab ovo* by those scientists who do not accept its philosophical foundation. No universe of discourse may be thus created for those who modestly restrict themselves to empiric study.

¹⁶ Thus K. Pearson's "routine in perception" (*op. cit. supra*, note 13, p. 136) is merely a transcription for "uniformities in observable reality."

¹⁷ Gurvitch explicitly states that there can be no sociology of knowledge without a theory of knowledge. This proposition stands in direct opposition to the fundamental thesis of F. Znaniecki, *The Social Role of the Man of Knowledge*, New York, 1940, according to whom the sociologist must resign his own criteria of validity when dealing with systems of knowledge (p. 6). Cf. also G. DeGre, "The Sociology of Knowledge and the Problem of Truth," *Journal of the History of Ideas*, vol. 2 (1941), pp. 110 ff.

Consequently, as in the case of every empiric science, the sociology of law has to proceed to the isolation of the phenomenon to be studied. The procedure of isolation must be based on a few obvious, but frequently forgotten, rules: (1) the study must proceed from the known to the unknown in order to reduce the unknown to the known; (2) the study must begin with cases in which the phenomenon appears in its purest and clearest form; and (3) the preliminary isolation must be formulated in terms which would not predetermine the final results. Propositions in which this preliminary isolation is couched must be submitted to tests by facts; it must be shown that they adequately isolate from the chaos of concrete reality something that possesses internal unity and may be described in a system of relevant propositions.

When applied to law, these methodological rules, first of all, orientate the research towards contemporary law in which we participate and of which one has intuitive knowledge (direct and indirect, through meaningful communication with others), and not towards early law. Secondly, these rules orientate our research towards those sectors of the social reality of our day which are permeated by law, in which law appears the first concern of human activity. Such is certainly the activity of judges and lawyers. Consequently, the isolation of law from the total social reality must be based on the observation of what judges and lawyers do in modern society. It must be stressed that the object of observation must be what they do and not what they say about their doings; for their ideas about law cannot be ascribed more validity than ideas expressed by other authorities.¹⁸

Should we consequently accept the famous definition given to law by Judge Holmes, according to whom law is what the courts will do in practice?¹⁹ Not at all! This definition cannot be considered final: it points at what law means for the trial lawyer,²⁰ but leaves untouched the question: How do courts decide what law is and consequently what they will do?

The activity of judges and lawyers is manifold, but obviously it may be reduced to a common denominator: they always define social situations in terms of a specified system of ideal patterns which

¹⁸ This point has been vigorously stressed by L. Petrazhitzky, *An Introduction to the Study of Law and Morals* (in Russian), St. Petersburg, 1908, pp. 88 ff.

¹⁹ *Collected Legal Papers*, N. Y., 1920, p. 173.

²⁰ E. Bodenheimer, *Jurisprudence*, New York, 1940, p. 313.

does not depend on their arbitrary choice, but appears as given, being in force, valid.²¹ In contradistinction to the frequently recurring unofficial definitions of social situations, judicial definitions are ascribed official character provoking corporate action to enforce them: these actions, in modern society, appear as the display of political power. In this way an important aspect of law is unveiled which may be termed its imperative ingredient.

On the other hand, in contradistinction to actions of despotic rulers, but in complete conformity with unofficial definitions of situations in terms of moral or customary standards, judicial definitions of social situations are performed in terms of standards of the right,²² or of norms which, at least in their meaning or in the belief of those accepting them for guidance, are conducive to common good. In this way another important aspect of law is acknowledged which may be termed its ethical ingredient. Combining both propositions, the idea may be formulated that law is a complex aspect of social reality in which the simpler ethical and imperative aspects are fused; or, more precisely, that law is the ethico-imperative order in society.²³

As the propositions above have been based on the study of judicial activity in modern society, they merely formulate a working hypothesis. The investigation must be continued in many directions and should be used for the refinement of the first approximation. It must be studied, for instance: (1) whether the lawyers, defining social situations, use the same patterns as the judges; (2) how much does the social role of the judges and lawyers depend on

²¹ Assuming that the theory of Cardozo and Holmes is typical for American jurisprudence, it may be asserted that Gurvitch (*op. cit. supra*, note 9, p. 203 n. 3) is essentially wrong when saying that in Anglo-American countries nobody but Austin shared the "prejudice" of the necessary connection of law with the State: in the American constitutional theory, the courts form the judicial branch of the government; therefore, their activity is State activity, and law, as the activity of the courts, is also State activity. Attacking the State theory of law Gurvitch substitutes to it a theory identifying law with statute; but this is a completely different and obviously erroneous theory which nevertheless was held, around 1900, by the majority of continental European jurists.

²² W. G. Sumner, *Folkways*, Boston, 1906, pp. 36-37.

²³ In my *Introduction to the Sociology of Law* (Cambridge, 1939) I have reached the same conclusion starting from the analysis of different types of uniformities in social life. I consider the definition of law reached in these two different manners as a real one, *i e.*, as a definition permitting to understand how law operates in society. This seems to have been misunderstood by H. U. Kantorowicz in his otherwise outstanding review of my book, *The Law Quarterly Review*, vol. 56 (1940), 113-115.

"taught tradition" in the creation of which an important part belongs to the jurists, or teachers of law; (3) whether, in advanced society, the administrator (the public officer) defines situations in a manner analogous to that of the judges; (4) whether the role of the legislator may be conceived of as that of adjusting to changing conditions the patterns applied by judges and administrators; (5) to what extent, in modern society, political struggle is a struggle for the possibility to remould these patterns; and (6) whether innumerable actions of laymen actually are carried out under direct or indirect influence of norms primarily actualized by judges and administrators. Finally the investigation must be expanded into (7) the field of international law where the power of the State cannot be displayed in the same manner as within its limits, and into (8) the field of early law where the monopoly of coercion ascribed to the modern State does not exist and is replaced by coercion exerted by rudimentary political structures.

In the writer's opinion, a study of the suggested type confirms the working hypothesis and additionally yields a number of relevant propositions of the static and dynamic type permitting us to understand how law operates, in modern advanced society or elsewhere. The empiric isolation of law from the whole of social reality is thus reached.

This is certainly only one of the possible ways of such an isolation. Its final acceptability depends on the proof whether by it we better grasp the corresponding fragment of reality than by any other one. Complete evidence of this sort would need volumes; therefore only one comparison will be made at this place, and its object will be the theory of Gurvitch, the methodological foundation of which has been discussed above. In his earlier works²⁴ Gurvitch used a very complicated conception of law which he substantially simplified in the article discussed above. There the definition of law reads as follows: "Every societal regulation to the extent in which it relates the claims of some and the duties of others and is socially guaranteed . . . belongs to the sphere of law."

It is evident that numerous customary rules, for instance, rules of politeness and the rules pertaining to the dueling custom, are covered by Gurvitch's conception of law: (1) they ascribe correlated active and passive roles to group members, and (2) they are backed up by the authority of the unorganized social groups. The

²⁴ For instance *L'Idee du Droit Social*, Paris, 1932, pp. 14 ff.

same is correct in regard to many customary rules of primitive society. However, there are tremendous differences between these rules and those to which the term law is usually applied; especially is there a complete lack of that complicated technique of co-ordinating human behavior, some of the aspects of which have been sketched above. On the other hand, almost all propositions which may be formulated in regard to "imperative-attributive patterns of behavior" would be repetitious of those recognized in modern sociology relating to social role and status.²⁵ Summing up, it may be said that the isolation of phenomena in Gurvitch's manner is logically possible; but what is being isolated is not law.²⁶

On the other hand, if the hypothesis formulated above is accepted, the proposition may be derived that order in society is secured by law on the basis of the common acceptance, for guidance, of specified ideal patterns. In this way the third fundamental problem of the sociology of law is posed which is that of the kind of reality of the ideal patterns.²⁷ This is a problem transcending the natural boundaries of the sociology of law; a more general branch of sociology, to be called *ethology*,²⁸ should deal with it. But as it is not very likely that such a science would come to existence, the sociology of law has to take care of the arduous task. The acceptance of patterns for guidance is a problem of social psychology still awaiting elucidation, and only a few hints may be given at this place. Whereas the initial act of acceptance is usually voluntary and consequently conscious, the later acts of following the pattern are of the type of learned behavior not demanding (but always permitting) direct interference of consciousness. Therefore the solution of the problem involves the understanding of: (1) conditions making probable the conscious acceptance for guidance of ideal patterns; (2) the process of learning concerning these patterns and making corresponding behavior habitual; (3) and the conditions effecting the sublimation of acts related to these patterns from the level of potentiality to that of actuality.

²⁵ Almost all Russian jurists have rejected Petrazhitzky's conception of law as of imperative attributive patterns. Some of the reasons for rejection have been shown in my *Introduction* (see *supra*, note 23), pp. 136-137.

²⁶ Cf. M. Rheinstein, *op. cit. supra*, note 9, p. 228.

²⁷ The problem is well posed by R. Linton, *The Study of Man*, New York, 1926, pp. 100 ff.

²⁸ Sumner, *op. cit. supra*, note 22, Preface, p. iii.

Only when the problem of the kind of the reality of ideal patterns is satisfactorily solved, can a pernicious idea be eliminated: this is the idea that ideal patterns (including law) are "imaginary," and that obeying them men obey to products of their fantasy. This is exactly the position of Petrazhitsky, for whom legal rules were "fantasmata,"²⁹ and of Pareto, who was inclined to place law on the level of "derivations."³⁰ Among contemporary writers Olivecrona asserts that legal rules are "ideas of imaginary actions by people in imaginary situations."³¹ Such propositions may be empirically refuted if it is found that the acceptance for guidance of legal patterns is equivalent to the formation, in numerous persons, of standardized behavior tendencies (*habits*) corresponding to the demands of law.

If law actually is co-ordination of human behavior by means just discussed, then numerous uniformities in human behavior related to law must be observable. The fourth fundamental problem of the sociology of law is that of the place where to search for such uniformities. Early sociologists have spent much time in attempts to find similarities between legal patterns accepted in different time and place; they hoped to establish uniformities concerning the evolution of such patterns, but they have only vaguely noticed the existence of uniformities created by the *common acceptance* of patterns. What these uniformities are in concrete societies, is obviously beyond the scope of sociological study: susceptible of such a study are constant or at least typical relations between the acceptance of legal patterns and the typical behavior of men. Thus, for instance, typical stages may be observed in the social acceptance of newly imposed patterns and in the gradual destruction of obsolescent patterns.

Material for study of the suggested type is abundant. It may be, first, gained by participant observation. Knowledge directly gained from such observation shows that, in advanced society, individual acts are often based on the expectation that legal rules will be carried out. One drops a letter into the mailbox; this act cannot be understood without taking into account the expectation that numerous persons, unknown to the actor, will carry out the duties imposed on them by law. One observes the activity of a business-

²⁹ L. Petrazhitsky, *Theory of State and Law* (in Russian), St. Petersburg, 1909, vol. I, pp. 39-42.

³⁰ Cf. N. S. Timasheff, "Law in Pareto's Sociology," *American Journal of Sociology*, vol. 40 (1940), pp. 139 ff.

³¹ K. Olivecrona, *Law as a Fact*, N. Y. 1939, p. 29.

man; he cannot explain the latter's actions without taking into consideration the expectation that the partners and contractors will behave according to law. Perhaps the objection could be raised that it was not only law which stood behind the expectations, but also morals, perhaps also business ethics. To reduce the mentioned expectation to law only would certainly have been wrong; but equally wrong would have been to eliminate law from the number of acting forces. In regard to the behavior of the business man, "negative cases" can easily be formulated, permitting to check the generalization. In the earlier part of the feudal period law was almost impotent to protect the trader: on highways might prevailed over right; during the periods of acute Communism in Russia (around 1920 and again around 1930) law refused its protection to trade which was termed "criminal speculation." Significant changes may be observed in the behavior of the merchantmen in these cases: as the expectation to be backed up by law lacked, they had either to protect themselves *manu militari* (in feudal times), or to organize their trade according to the patterns of criminal behavior (in Communist Russia); in both cases they had to charge their patrons much heavier than under the expectation of the type familiar in modern advanced society.

Secondly, material on legal uniformities may be found in judicial cases, considered, not in their concrete aspects, but as typical ways of settling conflicts; the role of taught tradition, of routine, of judicial creativeness, and of mere accident might be observed.

Finally, legal uniformities may appear in statistical study. Recent investigations have yielded the result that regularities were observable in the distribution of individual acts related to law, and that those regularities were quite different from those which arise when large numbers of human actions are observed in conditions similar to those prevailing in games of chance, where constant or common causes (the structure of the games and of the things used in them) operate simultaneously with variable or individual causes (the random actions of the participants).³²

³² During the last few years a number of attempts have been made in order to establish the conformity of human behavior to law (and other ideal patterns). Cf. F. H. Allport, "The J-Curve of Conforming Behavior," *Journ. Soc. Psy.*, 1934, pp. 141-183; F. H. Allport, "Rule and Custom as Individual Variation of Behavior Distributed upon a Continuum of Conformity," 44 *Am. Journ. Sociol.* (1939), pp. 897 ff.; N. Frederikson, G. Frank, H. Freeman, "A Study of Conformity to a Traffic Regulation," *Journ. of Abnormal and Social Psychology*, vol. 36 (1939), pp. 118-123; S. H. Britt, "Pedestrian Conformity to a Traffic Regulation," *ibid.*, vol. 35

If actions demanded by law are counted and arranged in time series, the series appear to possess "supernormal stability," *i. e.*, a stability which is greater than that observable under the conditions mentioned above.³³ This means that the co-ordinating force of law is greater than the unifying effect of the interplay of constant and variable causes, and that consequently prediction on the basis of legal and other ethical standards is highly reliable.

Exceptionally stable uniformities in social life thus appear to result from the formation, in society, of standardized behavior tendencies corresponding to the demands of law. The question naturally arises: how are such standardized behavior tendencies formed? More precisely: are they engendered by conflict situations, or by something else? This is certainly a fundamental problem to be discussed by the sociology of law, the fifth in our series.

In one of the earliest books in the field, that of Ehrlich, a very curious theory was formulated: two parallel sets of rules were recognized to exist, namely, rules of conduct and rules of (judicial) decision, the latter being of later origin and of different content, as, in the author's mind, "a relation as to which there is dispute is something different from the same relation at peace."³⁴ In one of the most recent works in the field, that of H. Cairns, the idea is formulated that "the study of law should depart from human behavior as influenced by . . . the social factor of disorder."³⁵

A partial truth is involved in such propositions. In ideal patterns of behavior man's relationship to values is expressed: positive values ought to be promoted, negative values combated and checked. Generally men become aware of values, not in an abstract, but in a concrete, form, and norms commonly emerge if there is doubt concerning the extent of the values to be socially recognized, or if tacitly recognized values have been violated. Therefore, norms are usually formulated as the result of conflicts around them. This is the reason why, in primitive law, punitive rules so obviously dominate.

(1940), pp. 114 ff.; J. Bernard, "Normative Collective Behavior," *Americ. Journ. Sociol.*, vol. 45 (1941). See also a paper delivered in 1938 at the meeting of the American Sociological Society by U. Moore and C. Calagan, entitled "An Investigation of the effects of statutes and ordinances and their administration."

³³ Cf. A. Tchuprov, *Theory of Statistics* (in Russian), St. Petersburg, 1909, pp. 312-13; J. M. Keynes, *Treatise on Probability*, London, 192, p. 420-1.

³⁴ Ehrlich, *op. cit. supra*, note 2, p. 123.

³⁵ H. Cairns, *Theory of Legal Science*, New York, 1941, pp. 9-10.

However, it never should be forgotten that it is impossible to understand the nature of something by studying how it came to existence: the biography of a great author and a detailed history of the successive steps in the composition of his works contribute but little to their understanding as of products of art. That conflicts are frequently conducive to the formulation of norms and to clear recognition of values, is obvious; but logically values come first, and conflicts around them second. Consequently norms may be formulated with direct regard to values to be promoted before any conflict situations arise. Legislation of the social reform type (that of Solon, of the Gracchi, of the enlightened autocrats of the 18th century, of Emperor Alexander II of Russia, or of the New Deal) and law promulgated by revolutionary governments is clearly of that type. The same is less conspicuous but equally true in regard to routine legislation in "organic periods": its function is not to prevent disorder or to stop disorder, but to create order of a specified type; not to settle conflicts, but to mould the conditions of human co-existence in accordance with an explicitly or implicitly recognized ideal.

Consequently, the sociology of law has to investigate the problem of the conditions under which the necessity of moulding by law human co-existence is given. A few obvious propositions are easily discernible: nothing is ever demanded by norms that necessarily happen without their imposition; nothing is demanded by norms that is actually impossible. But where choice is possible, a sector must be isolated in which legal (not moral or customary) regulation prevails. The present writer has tentatively asserted that the following situations were basic: (1) situations demanding for the distribution of goods and services; (2) situations demanding for co-operation; (3) face to face situations of persons endowed with different degrees of dominance feeling; (4) reciprocity situations; (5) situations involving relations of men to scarce things; and (6) conflict situations around the first five ones.⁸⁶

Law is not necessarily, but only accidentally, a product of conflicts. But the question may be raised whether the existence of law would not be conducive to specific conflicts usually discussed in sociology under the heading of the "lag of law" behind other sectors of social life; the question thus formulated may be considered as a further fundamental problem of the sociology of law.

⁸⁶ *Op. cit. supra*, note 23, p. 122-3.

The question is especially challenging to those for whom the ethical element is essential to law. It has been contested by Rheinstein that the frequently recurring discrepancy between law and other spheres of culture (especially the mores) did not permit to give to the ethical element in law more significance than that of "the acquiescence in being ruled by the government in power."³⁷ The author points at the absence, in complex societies, of uniform ethical conviction going beyond a few fundamental rules; consequently, there may be a lag between the conviction of the lay people and the doings of law people, or of some of the law people; and as the doings of law people, especially of judges and of lawyers, are vital in society, the law largely depends on the conviction of these people, or of some of their groups which may be again divergent.³⁸

A preliminary solution of the problem may be sketched as follows: To ascribe to law an indispensable ethical element does not mean to assert that every legal rule would correspond to the conviction of every citizen, or of every addressee of the individual norm. On the other hand, no legal system has ever existed in which at least a large part of the fundamental rules would not have been directly recognized by large numbers of citizens as conducive to the common good. How large this number must be in ratio of the population, probably depends on the types of society; it is also obvious that the recognition (acceptance for guidance) of these rules by individual members of the society does not possess the same weight: those who primarily mould public opinion and those whose function is to administer law count many times more than the other. The withdrawal of the recognition by important fractions of this "fraternity of the supporters of law" is symptomatic of the coming breakdown of the system, and is the precursor of a revolution.

This is the nucleus of the ethical substructure of law. From this center the significance of the recognition goes *decrescendo*. Two main lines may be easily established. One has been already mentioned: it is that from the "fraternity of the supporters" towards the periphery of the society, to those groups which are rather passive than active in the determination of the structure, functions and culture configurations of society. Another line goes from fundamental rules to those which concern only specialized segments of the social structure or which, as such, have no direct ethical connotation. How-

³⁷ Rheinstein, *op. cit. supra*, note 9, p. 223.

³⁸ *Ibid.*, p. 127.

ever, the values standing behind them may be "illuminated" by the ethical values;³⁹ in other words, an ethical connotation is given them through the recognition of their relevancy for the maintenance of the complicated mechanism through which society enforces the recognized standard of right. Recognition is the normal attitude of the members of the great society of law-abiding people in regard to the bulk of the legal rules. This attitude is not shared by persistent criminals (not by situational offenders!), by professional revolutionists and by a certain number of reckless people for whom no standards of right exist, being replaced by standards of individual expediency. A growth of such groups beyond limits means, once more, the coming breakdown of the system.

The normal attitude does not necessarily imply that every person, in regard to every norm accepted for guidance, would consider it as the best possible regulation; many people do think of other possibilities, and ideas about what law ought to be may greatly diverge; in general this is irrelevant so long as, in regard to law, the attitude described above is maintained; the divergence becomes relevant if (1) it concerns a relatively large number of fundamental norms and, simultaneously, (2) gains momentum in the fraternity of the supporters of law, or in large segments of the social periphery; once more such situations may be considered as precursors of the breakdown.

It follows from the preceding discussion that the ethical ingredient in law is very fine and complicated and that much is to be done in order to definitively grasp it. But it must be maintained, and this because of the very structure of legal reality and not because of "the desire to withhold the euphonious epitheton of law from the revolutionary commands of the Bolsheviks and other despotic regimes."⁴⁰ In the writer's opinion, the case of the general commands of despotic rulers is, in regard to law, a negative case so important for the formulation of valid generalizations. On the basis of such commands an order is created, but the technique of social co-ordination arising on such a basis is as far distant from that which usually is called law as that created on the basis of "traditions, customs and ethical value judgments" for the inappropriate introduction of which to the concept of law Rheinstein so convincingly rebukes Gurvitch.⁴¹

³⁹ "Strahlwerte" in the terminology of W. Stern, *System des kritischen Personalismus*, Leipzig, 1924.

⁴⁰ Rheinstein, *op. cit. supra*, p. 220.

⁴¹ *Ibid.*, p. 228.

A certain number of fundamental problems of the sociology of law have been thus far posed and a few tentative solutions have been offered. All have been centered around the understanding of law as of the ethico-imperative order in society. These solutions certainly are not final, but is there anything final in empiric science? However, they logically belong to the realm of the sociology of law, and the assertion of Gurvitch⁴² that the corresponding thought system is not a sociology of law, but only a sociology theory of law, testifies to a highly deplorable state of the scientific discussion concerning the fundamental problems of sociology.

⁴²Gurvitch, *op cit. supra*, note 9, p. 199; repeated by Yntema, *Jurisprudence on Parade*, Michigan Law Review, 1941, p. 1177. The reproach probably means that the thought system of my "Introduction" is juristic, and not sociological. This opinion is based on an old-fashioned convention concerning the division of labor between sociology and jurisprudence. In the writer's opinion, a large amount of material previously dealt with by the General Theory of Law actually belongs to the province of the Sociology of Law.

Fordham University

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FOURTH ANNUAL CONVENTION of The American Catholic Sociological Society

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HOTEL ASTOR, NEW YORK, N. Y.
DECEMBER 28, 29, 30, 1941

PROGRAM

SUNDAY, DECEMBER 28

- 10:00 A.M. Mass at St. Patrick's Cathedral. Rev. Francis J. Friedel, S.M., President of the ACSS, celebrant
- 11:00 A.M. Meeting of the Executive Council of the ACSS
- 12:00 M. Meeting of the Editorial Board of the REVIEW
- 1:00 P.M. Registration of delegates at the Hotel Astor
- 2:00 P.M. Social Theory

Chairman: Helena O'Neill, Rosemont College, Rosemont, Pa.
CULTURAL ORDER IN LIBERAL, FASCIST, AND COMMUNIST SOCIETY
N. S. Timasheff, Fordham University, New York, N. Y.
SIGNIFICANT SOCIAL THEORY IN PLATO'S REPUBLIC

Rev. Paul Hanly Fursey
Catholic University, Washington, D. C.
DISCUSSION

4:00 P.M. General Session
Chairman: Walter L. Willigan, St. John's University,
Brooklyn, N. Y.

ARE WE ACCEPTING THE CHALLENGE?
Rev. Francis J. Friedel, S.M., President of the ACSS,
University of Dayton, Dayton, Ohio

SOCIAL MALADJUSTMENT IN AN URBAN AREA
Patrick J. Shelly
Magistrates Court, New York, N. Y.
(Another speaker to be announced)

MONDAY, DECEMBER 29

9:00 A.M. Race and Race Relations
Chairman: Rev. John LaFarge, S.J., Associate Editor of
America, New York, N. Y.

CONTEMPORARY RACISM IN AMERICA

Rev. Vincent McQuade, O.S.A.
Villanova College, Villanova, Pa.

A CATHOLIC APPROACH TO INTERRACIALISM Louis T. Achille
Howard University, Washington, D. C.

DISCUSSION

11:00 A.M. Business Meeting of the ACSS and election of officers
 Chairman: Rev. Francis J. Friedel, S.M.

University of Dayton, Dayton, Ohio

12:00 M. Luncheon Meeting

Chairman: Andrew J. Kress, *Georgetown University,*
Washington, D. C.

THE SOCIOLOGY OF THE ARMY

Carle C. Zimmerman

Harvard University, Cambridge, Mass.

SOCIOLOGY AND FUNDAMENTAL VALUES

Howard E. Jensen

Duke University, Durham, N. C.

DISCUSSION

2:00 P.M. The Family

Chairman: A. H. Clemens, *Fontbonne College, St. Louis, Mo.*

THE FAMILY UNDER NATIONAL DEFENSE

Rev. Edwin C. Mulligan, S.J.
St. Joseph's College, Philadelphia, Pa.

RECONSTRUCTING MODERN FAMILY LIFE Sr. Mildred, O.S.B.

College of Mount St. Scholastica, Atchison, Kansas

DISCUSSION

2:00 P.M. Social Processes and Sociology

Chairman: Eva J. Ross, *Trinity College, Washington, D. C.*

DEVELOPMENT OF THE CONCEPT OF SOCIAL PROCESS IN

AMERICAN SOCIOLOGY

Sr. M. Liguori, B.V.M.

Mundelein College, Chicago, Ill.

THE PROCESSES AND CHRISTIAN SOCIAL THEORY

Laurence A. Brown

Creighton University, Omaha, Neb.

DISCUSSION

4:00 P.M. Panel Discussions

COLLEGE:

Chairman: Rev. Robert C. Hartnett, S.J.,

Fordham University, New York, N. Y.

Participants:

Rev. Vincent Dore, O.P., *Providence College, Providence, R. I.*

Francis Kilcoyne, *St. Joseph's College, Brooklyn, N. Y.*

Margaret Mary Toole, *College of Notre Dame of Maryland,*
Baltimore, Md.

Rev. Leonard Kelly, *Nazareth College, Rochester, New York*

Sister M. Henry, O.P., *Rosary College, River Forest, Ill.*

HIGH SCHOOL:

Chairman: Sr. M. Consilia, O.P., *Mt. St. Mary-on-the-Hudson,*
Newburgh, N. Y.

Participants: (to be announced)

STUDENT:

Chairman: Helen M. Toole, *College of New Rochelle, N. Y.*

Participants:

Dorothy Day, *The Catholic Worker, New York, N. Y.*

George Donahue, *Association of Catholic Trade Unionists*

Alfred Giardino, *Executive-Secretary, New York State Labor*
Relations Board, New York, N. Y.

Elizabeth Enoch, *The Jociste Movement, New York, N. Y.*

June Gardner, *Barat College, Lake Forest, Illinois*

Pauline Cattano, *College of Mount Saint Vincent,*
Mount Saint Vincent, N. Y.

William T. Cavanaugh, *Seton Hall College, South Orange, N. J.*

(To be announced) *Good Counsel College, White Plains, N. Y.*

(To be announced) *Manhattan College, New York, N. Y.*

Mary T. Smith, *College of New Rochelle, New Rochelle, N. Y.*

Barbara Hogarty, *College of Saint Elizabeth,*
Convent Station, N. J.

Discussion leaders:

Veronica Garvey, *College of Mount Saint Vincent,*
Mount Saint Vincent, New York

Marietta Scully, *College of New Rochelle, New Rochelle, N. Y.*

Lavinia Herlitzky, *College of St. Elizabeth,*
Convent Station, N. J.

George H. Callahan, *Seton Hall College, South Orange, N. J.*

(To be announced) *Good Counsel College, White Plains, N. Y.*

(To be announced) *Manhattan College, New York, N. Y.*

TUESDAY, DECEMBER 30

9:00 A.M. Rural Sociology

Chairman: Rt. Rev. Luigi Ligutti, *National Catholic Rural*
Life Conference, Des Moines, Iowa

THE RURAL FAMILY CULTURE PATTERN *Sister Anne, O.S.B.*

College of St. Benedict, St. Joseph, Minn.

PROBLEMS OF POPULATION DISTRIBUTION *O. E. Baker*

U. S. Department of Agriculture, Washington, D. C.

DISCUSSION

10:45 A.M. Sociology and Public Welfare

Chairman: John J. O'Connor, *St. John's University,*
Brooklyn, N. Y.

PUBLIC WELFARE AS INFLUENCED BY MAN'S SOCIAL HERITAGE

Agnes Van Driel, Social Security Board, Washington, D. C.

THE MODERN STATE AND PUBLIC WELFARE

Rev. Wilfrid Parsons, S.J., *Catholic University, Washington, D. C.*

DISCUSSION

10:45 A.M. Contemporary Research

Chairman: Aloysius P. Hodapp, *Loyola University, Chicago, Ill.*

STUDY OF THE CATHOLIC FAMILY THROUGH THREE GENERATIONS

Sister M. Christina, I.H.M., *Marygrove College, Detroit, Mich.*

THE SOCIAL STRUCTURE AND STATUS SYSTEM IN MODERN COMMUNITIES: A NEW APPROACH

Rev. Sylvester A. Sieber, S.V. D.

St. Anselm's Rectory, Chicago, Ill.

DISCUSSION

12:30 P.M. Luncheon: Crime and Community Responsibility

Chairman: Rev. Ralph A. Gallagher, S. J.,
Loyola University, Chicago, Ill.

Frederick A. Moran, *Commissioner of Parole, State of New York*

John Morris, *Sixth Deputy Police Commissioner, New York, N. Y.*

Rev. Thomas Bodie, S.M., *St. John's Home, Brooklyn, N. Y.*

William J. Harper, *Director of Probation, Westchester County, N. Y.*

2:15 P.M. Labor and Industry

Chairman: Rev. John P. Boland, *Chairman, N. Y. State Labor Relations Board*

SOCIOLOGY OF HUMAN RELATIONS IN INDUSTRY

Rudolph Schwenger, *St. Michael's College, Winooski Park, Vt.*

LABOR'S CHANGING ROLE IN INDUSTRIAL RELATIONS

Rev. Carl P. Hensler, *Seton Hill College, Greensburg, Pa.*

DISCUSSION

2:15 P.M. Sociology and Political Science

(At the request of a number of Catholic political scientists, the Society is happy to provide them with an opportunity to come together and discuss their mutual problems. The meeting will be an "informal caucus" for all Catholics interested in political science. The Rev. Edward Dowling, S.J., *The Queen's Work, St. Louis Mo.*, will act as temporary chairman.)

DISCUSSION

4:00 P.M. Panel Discussion on Labor Schools

Chairman: Rev. John P. Delaney, S.J., *Institute of Social Order, New York, N. Y.*

Participants:

George Donahue, *Association of Catholic Trade Unionists, New York, N. Y.*

Godfrey Schmidt, *Deputy Industrial Commissioner, New York, N. Y.*

George A. Brenner, *Crown Heights Labor School, New York, N. Y.*

- Mark Starr, *Educational Director, I.L.G.W.U., New York, N. Y.*
Rev. John C. Friedl, S.J., *Rockhurst College, Kansas City, Mo.*
Rev. John P. Monaghan, *Director Newport Labor Schools of the
A.C.T.U., New York, N. Y.*
Rev. Edward E. Swanstrom, *Supervisor, Brooklyn Diocesan Labor
Schools, New York, N. Y.*
Rev. John M. Hayes, *National Catholic Welfare Conference,
Washington, D. C.*
Rev. William Smith, S.J., *Crown Heights Labor School,
New York, N. Y.*

DISCUSSION

COMMITTEE ON ARRANGEMENTS

Chairman: Walter L. Willigan, *St. John's University,
Brooklyn, N. Y.*

- Brother Cassian, *Manhattan College, New York, N. Y.*
Rev. H. C. Callaghan, S.J., *Washington, D. C.*
Rev. John P. Delaney, S.J., *Institute of Social Order,
New York, N. Y.*
Rev. John Halpin, *College of Mt. Saint Vincent, Mt. Saint
Vincent, N. Y.*
Rev. William Brennan, *New York, N. Y.*
Helen M. Toole, *College of New Rochelle, New Rochelle, N. Y.*
Rev. Edwin C. Mulligan, S.J., *St. Joseph's College,
Philadelphia, Pa.*
Eva J. Ross, *Trinity College, Washington, D. C.*
Rev. Vincent McQuade, O.S.A., *Villanova College, Villanova, Pa.*

CONVENTION COMMITTEES

Nominations

Chairman: A. H. CLEMENS
Fontbonne College, St. Louis, Mo.

Helen M. Toole, *College of New Rochelle, N. Y.*; George Fitzgibbon, *Boston College, Chestnut Hill, Mass.*; Sister M. Liguori B.V.M., *Mundelein College, Chicago, Ill.*; Robert Hartnett, S.J., *Fordham University, New York, N. Y.*

Resolutions

Chairman: REV. VINCENT MCQUADE
Villanova College, Villanova, Pa.

Sister Mary Henry, O.P., *Rosary College, River Forest, Ill.*;
Rev. Edwin C. Mulligan, S.J., *St. Joseph's College, Philadelphia, Pa.*

Time and Place

Chairman: FRANCIS P. KILCOYNE
St. Joseph's College, Brooklyn, N. Y.

Aloysius P. Hodapp, *Loyola University, Chicago, Illinois*; Sr. Mildred, O.S.B., *College of Mount St. Scholastica, Atchison, Kansas.*

NEWS OF SOCIOLOGICAL INTEREST

Members of the ACSS who desire to hold special meetings during the convention should contact the executive-secretary as soon as possible so that arrangements can be made for meeting rooms at the convention headquarters.

Sociology departments are requested to call to the attention of their students the special student meeting to be held on the afternoon of the 29th. Students will also be very welcome at any of the other meetings of the Society.

The executive-secretary would also like to note the special round table being held on labor schools. The popularity and success of last year's meeting brought requests for another such meeting, and the Society is happy to provide such an opportunity to the leaders of this movement. The session will attempt to bring together those who are now conducting labor schools throughout the country, Catholic trade union leaders, members of the Association of Catholic Trade Unionists, Catholic industrial leaders, and others interested in the program of labor schools.

On the afternoon of the 30th at the request of a number of Catholic political scientists the Society has provided a caucus meeting for any political scientists who might be interested.

Additional programs for the convention may be secured by writing to the executive-secretary, who will be happy to give any further information that may be requested.

The following committees have been appointed for the fourth annual convention:

Nominations: A. H. Clemens, Fontbonne College, St. Louis, Mo.; Helen M. Toole, College of New Rochelle, N. Y.; George Fitzgibbon, Boston College, Chestnut Hill, Mass.; Sister M. Liguori B.V.M., Mundelein College, Chicago, Ill.; Robert Hartnett, S.J., Fordham University, New York, N. Y.

Resolutions: Rev. Vincent McQuade, O.S.A., Villanova College, Villanova, Pa.; Sister Mary Henry, O.P., Rosary College, River Forest, Ill.; Rev. Edwin C. Mulligan, S.J., St. Joseph's College, Philadelphia, Pa.

Time and Place: Francis P. Kilcoyne, St. Joseph's College, Brooklyn, N. Y.; Aloysius P. Hodapp, Loyola University, Chicago, Illinois; Sr. Mildred, O.S.B., College of St. Scholastica, Atchison, Kansas.

The secretary has received an invitation from the DePorres Interracial Center, 20 Vesey Street, whose rooms, library, and secretarial service are at the disposal of the Society during the days of the convention.

Reports of three interesting activities carried on by undergraduate sociology departments have come to the editor's attention. Community needs are related to the work of the sociology department at the College of Notre Dame of Maryland. Studies have included a social survey of Baltimore; a more detailed study of the Govans community of Baltimore, and a study of the marital status of the college alumnae. Volunteer activities include a college unit of the Junior Ladies of Charity, a Big Sister program, and work in a Child Guidance Clinic.

Fontbonne College has this year inaugurated a novel experiment both in sociology and general education. Through the department of sociology, students are now able to secure a Bachelor of Arts degree with the family as the major field. A. H. Clemens, chairman of the department of sociology, who is in charge of the curriculum, points out that the course of studies treats the religious, educational, economic, psychological, biological, as well as the sociological aspects of the family.

At Duquesne University, Pittsburgh, a class in applied sociology under the direction of James W. McGowan, has assumed the direction of a girls' club in the Stephen C. Foster Community Center.



In the current (November-December, 1941) issue of *Sociology and Social Research* (edited by Emory S. Bogardus at the University of Southern California) there appear two articles of special interest to Catholic sociologists. Charles Ellwood of Duke University has written one on "Roman Catholic Sociology," and Melvin J. Williams, who completed a study of Catholic sociological theory a few months ago, has written the other article on "The Need for the Study of Roman Catholic Sociological Theory."

A few excerpts will indicate the constructive and cooperative attitude of the articles: From Ellwood's:

"For forty years or more there has been growing up in the United States a school of Roman Catholic sociological theorists. For the most part their work has been ignored by the great mass of American sociologists. It is a comment upon our civilization that a separate school of social theorists could exist for so long and receive so little attention. It is pretty conclusive evidence that in-group and out-group attitudes not only prevail among American sociologists, but frequently inhibit critical attention and thinking. . . . Roman Catholic sociological theorists, like their non-Catholic colleagues, do not all belong to one sociological school. . . ."

From Williams':

"Sociology has prided itself upon the fact that it is an open-minded science, and it must remain that way if it is to develop and take its place among the established sciences. What

do the sociologists mean by open-mindedness? Is not the efficient scholar one who studies a position in an effort to absorb truth and get the "good" out of another's position? If this is true, then it is the task of someone to analyze the Catholic position and present what seems to be an unbiased account of the fact as they appear from history and the efforts of those who have labored in the field."



Meeting also in New York will be the following social science groups: American Economics Association, December 27-30; American Statistical Association, December 27-30; National Conference on Family Relations, December 29-31; American Sociological Society, December 28-30; American Association for Labor Legislation, December 27-31.



The 36th annual meeting of the American Sociological Society will be held at the Roosevelt Hotel. Francis Kilcoyne of St. Joseph's College and N. S. Timasheff of Fordham University, members of the ACSS, are on the local arrangements committee.

The meetings of the Society will be devoted to the following topics: human ecology, social statistics, family, social psychology, sociometry, community, social theory, criminology, social aspects of housing, the general social science course, sociology and sociometry as applied to national defense, social research, social biology and population, political sociology, sociology and psychiatry, educational sociology, sociological theory and social problems, sociology and religion, sociology and social work, democracy and social control, inter-cultural relations in the Americas.



The Boston College School of Social Work recently honored one of its graduates, William H. G. Giblin, with a testimonial of distinguished service. At a public lecture in the Boston College Auditorium on the 25th of November, Mr. Giblin spoke of his work with the Red Cross in Europe during the last eighteen months, and was afterwards presented with this testimonial by the Rev. Walter McGuinn, S.J., dean of the School of Social Work and a member of the ACSS.



Rockhurst College's Institute for Social Reconstruction under the direction of the Rev. John C. Friedl, S.J., is now sponsoring a conference for employers. This conference has grown out of the labor school founded at Rockhurst a number of years. Employers in Kansas City found that workmen in their shops and factories were attending the labor school and made inquiries about it. Result: an employers' conference!

The Baroness Catherine de Hueck outlined a program of social action and explained the work of the Friendship Houses to the student body of the College of St. Catherine, St. Paul, on November 25.



Professor John J. McLurg of the University of Notre Dame was elected for a three-year term to the board of directors of the Indiana State Conference of Social Work.



BOOK REVIEWS

PAUL J. MUNDIE, Book Review Editor
Marquette University, Milwaukee, Wisconsin

Marriage and the Family. By Rev. Jacques Leclercq, trans. by Rev. Thomas R. Hanley, O.S.B. New York: Frederick Pustet Co., Inc. 1941. Pp. xx + 395. \$4.50

The whole field of moral and social problems connected with marriage and the family is included in this truly excellent book, for which one can have nothing but unqualified praise. Published in French in 1933, the Belgian edition soon became a standard reference in the field (this reviewer included it in the bibliographies of her college text, albeit French is a difficult language medium for the average undergraduate). The translation now offered enhances the value of an already indispensable work, for the translator has not only made a faithful yet smooth-reading translation, but he has done much more. On almost every page there is evidence of his thoughtful attention to the needs of the American scholar. Occasionally he has relegated information of lesser importance to footnote form, or has suppressed lengthy footnotes of little value to the American; sometimes he has found it advisable to incorporate a footnote from the Belgian edition into the body of the text; more often he has made judicious additions to the original, providing, for example, a whole section on the Ogino-Knaus rhythm theory on pages 255-257. In making these additions, the reader nowhere feels that the translator is obtruding any extraneous personal ideas, for although the supplementary work is always clearly indicated, it is of real value and is so skilfully incorporated that the whole is a very harmonious work indeed, and one of the finest scholarship.

This reviewer does not know of a better reference to which one could refer the non-Catholic who wishes to secure an accurate and clear insight into the Christian attitude and teaching concerning marriage and family life. The book does not merely study the institutions of marriage and the family from the viewpoint of revelation or religion which would appeal only to those with some form of religious convictions. Instead, it shows that these institutions are natural ones, capable of being defended at the bar of human reason. Although the author and translator clearly recognize in the preface, and on the very cover of the book itself, that their concern is chiefly that of the social philosopher, the book is so complete in detail and discussion that the well-equipped teacher of sociology could easily

prepare material to supplement the more speculative parts of the book, and to give the student the viewpoint of the sociologist rather than of the ethicist. Certainly no sociologist can afford to be without this book in his library, and the work will have a much wider use than that of the seminarian and philosopher.

It is difficult to point out the many good features of *Marriage and the Family* in one brief review. The accurate footnote references to numerous works on the subject are of great value to the scholar. One is glad to note that Freud is given his due (p. 113) and not condemned *in toto*. The treatment of polygamy among the biblical patriarchs is very sane, and avoids the usual method of Catholic students who try to explain in futile dialectics what it were more prudent to pass by without comment. As the author wisely writes (p. 74): "It is so hard for us to form a clear and precise idea of the world in which they lived." The whole question of feminism (with some minor exceptions noted below) is especially well treated, and the correct Christian concept of the essential equality of men and women is most adequately demonstrated. There are some very good remarks (p. 331) on the hyper conservatism of certain modern Catholics on the question of the status of women. It is gratifying to note the use of the Spencer translation of the New Testament throughout the book — a translation all too infrequently known and appreciated.

As *Marriage and the Family* will undoubtedly pass through more than one edition, one or two minor criticisms might be noted. No general bibliography is given, although one is to be found in the Belgian edition. The author's erroneous conception of the American use of the word "doctor" when describing a "Ph.D.," is retained (p. 220) in the description of Ellsworth Huntington as a "physician." Viewpoints of economists as to the relative impossibility of the payment of a family wage large enough to obviate the need of a system of family allowances, would offset views given (pp. 243-245) and the Nell-Breuning interpretation cited. Some scholars would query the treatment of maternal feelings as an instinct, and the hyper respect accorded to Westermarck's views. Some of the descriptions of the physique and characteristics of the male versus the female (pp. 294-298) might surely be equally typical of either sex. It would have been more in keeping with the author's usual scholarly care had the statements been prefaced with the words "usually" or "sometimes." One might query the seeming approval of the frequent lack of humility in the typical situation that "a normal man is grieved to feel himself inferior to his life" (p. 335). Although the author gives a true Christian viewpoint of the status of women, he seems to quote with approval (p. 298) the somewhat harsh statement of St. Thomas, viz: "If we inquire why God created the woman, one probable reason is alone discoverable: the procreation of children." Later (p. 320) he says that this view and similar ones are "shocking." The woman reviewer cannot refrain from a

reminiscent smile concerning certain types of men she has met when she reads (p. 287) that in social life the man represents the married couple with "lucidity, resoluteness, calmness, and physical strength."

One awaits the translation of the other books in the Leclercq series almost with impatience.

EVA J. ROSS

Trinity College

Christian Social Principles. By Sister Mary Consilia O'Brien, O.P.
New York: P. J. Kenedy & Sons. 1941. Pp. xvi+621. \$2.40

Since the author herself states in the Preface that the book is intended to "present the social thought of St. Thomas and the Church" (social philosophy, not sociology), the sociologist cannot object to *Christian Social Principles* on the grounds that it is not a sociological work. That her first text was entitled *Catholic Sociology* was, of course, an unfortunate description for what was an excellent introduction to social ethics.

Christian Social Principles is attractively produced and well written. Each of the chapters contains a page or two of source material from St. Thomas or the social encyclicals, a good summary, discussion questions, and a very short bibliography which might be considerably extended (it even omits such standard references as the *Code of Social Principles* and the *Code of International Ethics*). A minor error seems to be found on page 358 regarding Catholic Action, where the author states that "its essential requisite is subordination to the Hierarchy." Even though this subordination is indeed one of the essential requisites, surely the most important feature of Catholic Action is the *apostolate* — the effective desire to spread Christianity!

The book is for "Catholic students in the final years of high school and the early years of college." High school students probably need a more realistic consideration of specific social problems than the book provides, and the lack of illustrations is a handicap. *The Christian in the World* by the late Virgil Michel, O.S.B., seems more adequately to cover the same ground for high school students. For early college classes in social ethics *Christian Social Principles* would be excellent. The book also fills a long-felt want for a handy reference for sociology students in the first weeks of their introductory work, and at other points in their studies. It is especially at the beginning period that the Christian social principles which are taken for granted by the Catholic sociologist, need to be rapidly reviewed for the benefit of students who have not clearly grasped them.

EVA J. ROSS

Trinity College

A Declaration of Dependence. By Rt. Rev. Fulton J. Sheen. Milwaukee: Bruce Publishing Co. 1941. Pp. 140. \$1.75

A Declaration of Dependence has not the well-planned forcefulness of Dorothy Sayer's excellent work: *Begin Here* (Harcourt Brace, 1941), but this could hardly be expected of a collection of radio addresses (eleven in all) which Monsignor Sheen here presents to his reading public. Other than a quaint classification of wars as horizontal, vertical, and crucial (p. 70), the book contains little that is new. On the other hand, it might be perused with profit by all those who do not see clearly what should be the Christian judgment of the many points at issue in the present conflict. The author believes that although those who are fighting against Hitlerism may not be fighting to preserve Christianity as such, nevertheless, "they may be fighting to preserve those basic liberties which Christianity uses as a natural foundation" (p. 78). He gives the traditional conception of the conditions of a just war, shows wherein pacifists may err, and states clearly that only if we adequately acknowledge our dependency upon God can we find a true and just peace, based on the lines laid down by the recent Popes. A few evidences of hasty writing are regrettable, as when the author talks, without directly naming him, of "the principal stooge of Stalin in America" (p. 3) and uses the word "mad" for angry (p. 100). Such minor points, however, do not take away from the general interest of Monsignor Sheen's vivid style which has made him so popular for well over a decade.

EVA J. ROSS

Trinity College

Youth in a Catholic Parish. By Brother Augustine McCaffrey, F.S.C. Catholic University Press, Washington, D. C. 1941 (doctoral thesis). Pp. xxviii + 310.

The much publicized "youth problem" of the thirties has evoked a multitude of youth studies in the early forties. A fresh and significant approach to the study of Catholic youth and its problems has been made by Dr. McCaffrey inasmuch as he has examined the youth problem specifically from the viewpoint of the parish. Likewise, he has sensibly departed from the general pattern of such studies and frankly and honestly inquired into the influence of their religion in the lives of the young people of the unidentified parish which was the subject of his thesis.

In few matters of Catholic life are general opinions formulated with less attention to the actual facts than in the youth field. Extremists and enthusiasts will be sobered considerably by the factual data assembled and analyzed by Brother McCaffrey. Under the headings of: a) their parish; b) leisure; c) their home; d) religious practice; e) moral practice; f) education; and g) employment; he

has tabulated 88 tables of data and 8 lists of figures. Pastors desirous of conducting similar scientific studies will appreciate the appendix containing the complete set of questionnaires used in *Youth in a Catholic Parish*.

Some errors are inevitable in such a work. On p. xxii — "Marriages which lack the blessing of the Church are adjusted." Although popular, this phraseology is seriously misleading because invalid marriages are not rectified by a mere blessing of the Church. On p. 138 — "The most intimate and most important relation of a young person with Christ is in Holy Communion." This is theologically inaccurate because the most intimate and most important union of a person with Christ is the union of grace and love of which the Eucharist is the "signum efficax" — the thing signified is more important than the sign. (Cf. "Eucharistic Piety" Dom LaPorte, *American Eccl. Review*, January, 1929.) On p. 226 the author apparently mistakes the Youth Committee of the NCCW for the Youth Department, NCWC — of which important development no mention is made — an omission scholastically unpardonable in such a work.

It would be naive, I suppose, to expect a wide circulation of this book. Let these few random excerpts, however, excite curiosity, especially when it is remembered that each of them is substantiated by presented evidence:

"One-fifth of the young people considered that the parish is already doing enough for you, but merely one-half of them seemed to be indifferent toward or ignorant of what the parish is doing." "... parish organizations should meet oftener. At least twice a week would not be too often for the young people to meet under parish auspices." "A non-Catholic is the exclusive 'date' of two-fifths of the young people. Three quarters of the older boys (18-24) 'date' at least occasionally, as do five-sixths of the girls of the same age. Most of the young people do not inquire concerning the religion of their 'date.'" "In answer to the question: what do young people most need in regard to their religion? nearly half of the interviewees mentioned a lack of adequate knowledge." "Most of the youth 'neck,' that is, they indulge in kissing, fondling, and hugging. Some go further, they are guilty of sinful handling, called 'petting' by many. Some have gone to the extreme limit of sexual intercourse. A few boys have visited houses of prostitution. The consensus of opinion among the youth is that Catholics are more restrained in sex liberties than others." "Catholic students are less prepared for the bitter competition of present day business life than are Protestant and Jewish youth." "Catholic employers and educators might well get together concerning Catholic schools and more adequate practical training." "Half the young people in the parish, including the boys still in school, indicated that some phase of the employment problem is their chief difficulty."

PAUL TANNER

N.C.W.C., Washington, D. C.

Cooperation — A Christian Mode of Industry. By Edgar Schmiedeler, O.S.B. New York: Catholic Literary Guild. 1941. Pp. 218. \$150

This book is written in a delightfully straightforward way by one of long experience in speaking on the cooperative movement and its methods. It is written openly, without technicalities, and manages to express a great deal of the wholesomeness that distinguishes its writer. It should prove valuable in study club circles and carries full permission of Church authorities.

The book emphasizes the importance of credit unions and by the use of an actual example of such a union, operating in the N.C.W.C. headquarters, makes it apparent that many small Catholic groups, from Study Clubs to St. Vincent de Paul Societies, could put the plan into operation without difficulty.

The first treatment of agricultural cooperation gives one the feeling that something is omitted, but he soon discovers that agricultural marketing on a cooperative basis is given its own treatment in a separate chapter. It is not possible to overemphasize the importance of cooperative methods for the farmer and all these cooperative tools are explained. The treatment of the Rural Electrification Administration (REA) is timely. It will help to straighten out rather widespread muddled thinking on this important project to make electric power available in sparsely settled regions.

The treatment of cooperative hospitals was to be expected from an author long interested in the family, particularly the rural family. Something must be done to raise rural health standards, since it is becoming increasingly apparent that "cities are colonies which must annually be repopulated from country areas." Cooperative hospitals can bring better methods and better equipment into country areas and by the efforts of the country peoples themselves. When better facilities are available, better medical practitioners will be interested in rural practice. Such men can be attracted by the availability of hospital facilities and by the payment of a flat basic fee annually, plus individual fees for individual care. It must be pointed out, however, that many eminent Catholic authorities feel that the employment of doctors on straight salary is not to be advocated.

No important phase of the cooperative movement has been omitted in this book. The treatment has been consistently clear, yet concise.

The general trend toward cooperative thinking is probably a sign of the times. We seem to be turning more and more from individual initiative, call it *laissez-faire* if you will, to a wish for security. We must find this security, however, without too much governmental bureaucracy. Many feel that the cooperatives are the answer, since they remain privately owned but at the same time are idealistic. They will attempt to provide services where services are required, whereas commercial business provides services only where they prove profitable. Many economists feel that cooperatives have

no power within themselves to set a wage system or to devise a price structure. They still demur when one points out that distinguished economists have seen no such difficulties and that the chains themselves have experienced no difficulty in fixing either wages or prices. It is high time that such an analytical discussion be placed on the agenda for Catholic circles and this problem worked out once and for all. If cooperation is an economic system, which this reviewer claims it is since the introduction of the patronage rebate, it will grow. If it is merely idealistic, it will eventually wither and die. Some years ago Catholics felt the cooperatives were socialistic; this feeling seems now to have been dissipated, as evidenced by this work under review. Some Catholic economists are convinced that cooperation lacks something vital as an industrial and distributive system. Let us attack this problem next.

ANDREW J. KRESS

Georgetown University

Introduction to the Cooperative Movement. By Andrew J. Kress, editor. New York: Harper & Bros. 1941. Pp. xii + 370. \$3.00

This is a book of readings in Cooperation. It will probably have considerable use as a handbook of facts on cooperatives. The book is presented as the work of a research student rather than as an expert on cooperatives. This method enables the editor (the preface states) to present both sides of controversial questions.

The work covers a wide selection of readings. There are seven parts to the book, each one containing two or more readings. Part I, covering almost half of the book, contains six chapters devoted to the Cooperative Movement. Readings are presented in the history of the movement, various economic analyses of the movement, the support of religious groups, and medical cooperatives. Parts II, III, and IV are devoted to readings in Producers' Agricultural and Financial Cooperatives. Parts V and VI consider the Social Philosophy of the Movement and the International Movement. Part VII presents tables of statistics.

The book is not perfect — no book of reading can be. Any reader familiar with the literature would have made some omissions and included other material. However, the editor must make the final choices, and in this case Dr. Kress has done a good job. For improvement I would suggest consideration of the following. The treatment of Producers' Cooperatives is very sketchy and almost completely historical; the tables in Part VII are without dates for the data, making it difficult to use them without going directly to their source.

The book has been honestly done and should be recommended as essential for library shelves and collateral reading in all courses

teaching cooperatives. It could be used as a text in a one-semester course in cooperatives.

PAUL J. MUNDIE

Marquette University

A Handbook to "Rerum Novarum." By Lewis Watt, S.J. Oxford: Catholic Social Guild. 1941. Pp. 60. One Shilling.

This booklet is meant to be a companion to the social encyclicals, an aid to their study. It is much more than a digest of *Rerum Novarum*; it interprets this social charter in the light of later encyclicals, letters, and radio addresses of Pius XI and Pius XII, thus providing in compact form the principles of Leo XIII, clarified and adapted to modern conditions. After an introductory chapter which outlines the background of Leo's encyclical successive chapters deal with Collectivism, The Church's Contribution to Social Welfare, The State and Its Functions, and Associations of Employers and Employed, so far as these topics are related to principles defined by Leo.

One cannot help feeling that Father Watt has burned much midnight oil in attempting to give us an accurate understanding of the universal Church's teaching on "the" social question. Time and again he shows how recourse to original texts clarifies the English translation of the 1891 and later encyclicals. Anyone who has studied the carefully weighed and somewhat confusing sequence of the Leonine document will appreciate the value of Father Watt's comments such as, "In this paragraph Leo XIII concludes the arguments in favor of the objections to collectivism which he summarized at the end of par. 3"; "... The constructive part of the encyclical begins with the next paragraph..."; "... the English version gives the impression that the Pope is still speaking of encroachments of the State on the rights of the family whereas he has really returned to his main theme..."

Father Watt recognizes the fact that *Rerum Novarum* is not easy reading, and so he tries to make his handbook as easy and fruitful as possible; yet he warns his readers that on account of the fact that the principles set out hold for all time, their careful statement must be "studied" if they are to be understood. His well-indexed pamphlet should be very helpful to theologians and teachers or study-leaders in courses dealing with distributive justice and Catholic social principles.

In an appendix Father Watt points out that even in 1893 the farseeing Leo XIII was aware of the importance of the international aspects of economic problems, about which we are so much concerned today. Writing to a Swiss Catholic leader Leo said: "It is clear to everyone that the protection given to the workers would be very imperfect if it were afforded only by the different laws which each country has passed on its own account. For since commodities,

coming from various countries, enter into the same market, the regulation of conditions of labor, imposed here or there, would result in the industrial products of one nation expanding to the detriment of another."

RAYMOND W. MURRAY, C.S.C.

University of Notre Dame

The Christian Family. By the Most Reverend Tihamer Toth, D.D.
St. Louis: B. Herder Book Co. 1941. Pp. 211. \$2.00

This is a rather modest series of sermons by Bishop Toth, translated by V. G. Agotai, and edited by Raymond Thompson, S.T.D. This work, as do most series of sermons, suffers because it is the record of the spoken word and not a written text. The book might rather be classified as a handbook for the priest in preparing sermons on the subject of marriage. The unity and harmony of the work is hurt by numerous repetitions. As to content — there are just the general topics as outlined in the encyclical of Pius XI. The treatment of mixed marriage and the marital impediments is well done.

The work can be of value to the student and the teacher of the course on the family as many of the arguments for the Christian approach to the subject are graphically stated. It can be used by the student as a handy reference book since it is well indexed.

Perhaps there are too many books of this general type. What we still need are works of research on the particular topics included in the general subject of the family, divorce, history of marriage, etc. The book should be included in any general bibliography on the Christian family; it states well the Catholic philosophy and summarizes the law of the Church in respect to this all-important topic.

RALPH A. GALLAGHER, S.J.

Loyola University, Chicago



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